

# The Gazette of India



PUBLISHED BY AUTHORITY

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## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 12th May 1956 :—

| Issue No. | No. and date                         | Issued by                          | Subject  |
|-----------|--------------------------------------|------------------------------------|--|
| 138       | S.R.O. 1061, dated the 5th May 1956. | Election Commission, India.        | To elect a person to fill the vacancy in the House of the People from the Shahdol-Sidhi Parliamentary Constituency.  |
|           | S.R.O. 1062, dated the 5th May 1956. | Ditto                              | Appointment of dates for bye-election to be held in the Shahdol-Sidhi Parliamentary Constituency.  |
| 139       | S.R.O. 1063, dated the 5th May 1956. | Ministry of Law                    | Declaration regarding election to fill casual vacancy in the House of the People from Calcutta North-West Constituency.  |
| 140       | S.R.O. 1064, dated the 5th May 1956. | Ministry of Commerce and Industry. | Special Export Licences issued in the financial year 1956-57 under the Tea Act, 1953 shall be valid upto 30th June 1956.   |
|           | S.R.O. 1065, dated the 5th May 1956. | Ditto                              | Powers to make orders in relation to all commodities to which the Essential Commodities Act, 1955 applies except cotton textiles be exercisable in the Naga Hills District by the State Government of Assam subject to certain conditions specified therein. |
| 141       | S.R.O. 1066, dated the 7th May 1956. | Ministry of Food and Agriculture.  | Powers under clause 3 of the Sugarcane (Control), Order, 1955, be also exercisable by the Cane Commissioner of Punjab for the purpose of allowing deduction in the minimum price of sugarcane.   |
| 142       | S.R.O. 1067, dated the 7th May 1956. | Election Commission, India.        | Nomination of the Chief Electoral Officer for the State of Punjab w.e.f. 1st March to 18th March 1956.   |

| Issue No. | No. and date                          | Issued by                                | Subject   |
|-----------|---------------------------------------|--|---|
|           | S.R.O. 1068, dated the 7th May 1956.  | Election Commission, India.              | Nomination of the Chief Electoral Officer for the State of Punjab w.e.f. 19th March 1956.   |
|           | S.R.O. 1069, dated the 7th May 1956.  | Ditto                                    | Nomination of the Chief Electoral Officer for the State of Madhya Pradesh w.e.f. 1st March to 10th April 1956.  |
|           | S.R.O. 1070, dated the 7th May 1956.  | Ditto                                    | Nomination of the Chief Electoral Officer for the State of Bombay w.e.f. 1st March to 17th April 1956.  |
|           | S.R.O. 1071, dated the 7th May 1956.  | Ditto                                    | Nomination of the Chief Electoral Officers for the States specified therein w.e.f. 1st March 1956.  |
| 143       | S.R.O. 1072, dated the 8th May 1956.  | Rajya Sabha Secretariat.                 | The Housing and Telephone Facilities (Members of Parliament) Rules, 1956.   |
| 144       | S.R.O. 1073, dated the 5th May 1956.  | Lok Sabha Secretariat.                   | The Housing and Telephone Facilities (Members of Parliament) Rules, 1956.   |
| 145       | S.R.O. 1074, dated the 1st May 1956.  | Ministry of Health                       | Draft Amendment to the Prevention of Food Adulteration Rules, 1955.   |
| 146       | S.R.O. 1075, dated the 8th May 1956.  | Ministry of Law                          | The Central Government declares that the Maintenance Orders Enforcement Act, 1921, applies in respect of Southern Rhodesia.   |
|           | S.R.O. 1076, dated the 8th May 1956.  | Ministry of Food and Agriculture.        | Powers under clause 3 of the Sugar-cane (Control) Order, 1955 be also exercisable by the Cane Commissioner of Bihar for the purpose of allowing deduction in the minimum price of sugar-cane. |
| 147       | S.R.O. 1077, dated the 8th May 1956.  | Ministry of Commerce and Industry.       | Amendments made in the Cotton Textiles (Control) Order, 1948.   |
| 148       | S.R.O. 1116, dated the 10th May 1956. | Ministry of Finance, (Revenue Division). | Exemption of pig iron, when imported, from the whole of customs duty leviable thereon.  |
|           | S.R.O. 1117, dated the 10th May 1956. | Ditto                                    | Prohibition of taking by sea or by land of wrought aluminium utensils from India or the State of Pondicherry.   |
| 149       | S.R.O. 1118, dated the 11th May 1956. | Ministry of Commerce and Industry.       | Draft amendments to the Registration and licensing of Industrial Undertakings Rules, 1952.  |

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

**PART II—Section 3****Statutory Rules and Orders Issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).****MINISTRY OF HOME AFFAIRS**

*New Delhi-2, the 9th May 1956*

**S.R.O. 1128.**—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby directs that the following further amendments shall be made in the Notification of the Government of India in the late Home Department No. F.9/2/33-Ests., dated the 9th January, 1934, namely:—

In clause (2) of paragraph 1 of the said notification, after sub-clause (b), the following sub-clause shall be inserted, namely:—

"(c) to the authorities empowered to impose the penalties of removal and dismissal, the power to impose also the penalty of compulsory retirement."

[No. 7/4/56-Ests.(A).]

**S.R.O. 1129.**—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby directs that the following further amendments shall be made in the Civil Services (Classification, Control and Appeal) Rules, namely:—

In the said rules—

(1) In rule 49,—

(i) after clause (iv), the following clause shall be inserted, namely:

"(iv-a) compulsory retirement."

(ii) after Explanation II, the following Explanation shall be inserted, namely:

"Explanation III.—Compulsory retirement of a Government servant in accordance with the provisions relating to his superannuation or retirement does not amount to a penalty within the meaning of this rule."

(2) for rule 52, the following rule shall be substituted, namely:

"52. The President may impose any of the penalties specified in rule 49 on any person who is a member of a Central Service or holds a post in connection with the affairs of the Union."

(3) in rule 55, for the words 'dismissal, removal or reduction', the words 'dismissal, removal, compulsory retirement or reduction' shall be substituted."

[No. 7/4/56-Ests.(A).]

**S.R.O. 1130.**—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby directs that the following further amendments shall be made in the rules published with the Notification of the Government of India in the late Home Department No. F.9/19/30-Ests., dated the 27th February, 1932, namely:—

In the said rules,—

(1) In rule 3,—

(i) after clause (iv), the following clause shall be inserted, namely:

"(iv-a) compulsory retirement;"

(ii) after Explanation II, the following Explanation shall be inserted, namely:—

*“Explanation III.—Compulsory retirement of a Government servant in accordance with the provisions relating to his superannuation or retirement does not amount to a penalty within the meaning of this rule.”*

(2) after rule 5A, the following rule shall be inserted, namely:—

“5B. Notwithstanding anything contained in any other rule, the power to impose the penalty specified in clause (iv-a) of rule 3 shall, in respect of any Government servant, be exercisable only by the authority competent to impose the penalty of removal or dismissal on him.”

[No. 7/4/56-Ests.(A).]

K. N. SUBBANNA, Dy. Secy.

*New Delhi-2, the 11th May 1956*

**S.R.O. 1131.**—It is hereby notified for public information that the President is pleased to recognise Brigadier His Highness Maharao Shri Sir Bhim Singhji Bahadur, K.C.S.I., Maharao of Kotah, as the person competent to exercise the powers of the Rajpramukh in relation to the State of Rajasthan during the absence from India of Lieutenant General His Highness Maharajadhiraja Sawai Sir Man Singhji Bahadur, G.C.S.I., G.C.I.E., Maharaja of Jaipur, Rajpramukh of Rajasthan. His Highness the Maharao of Kotah entered upon the duties of his office on the forenoon of 10th May, 1956.

[No. F.4/11/56-Poll.III.]

V. VISWANATHAN, Jt. Secy.

*New Delhi-2, the 15th May 1956*

✓ **S.R.O. 1132.**—In pursuance of the provisions of the Explanation to section 25 of the Negotiable Instruments Act, 1881, (XXVI of 1881), the Central Government hereby declares that Thursday the 24th May, 1956, shall be a public holiday throughout India in celebration of the 2500th anniversary of Buddha Jayanti.

[No. 24/32/55-Public-I.]

FATEH SINGH, Dy. Secy.

*New Delhi-2, the 15th May 1956*

**S.R.O. 1133.**—The following Order made by the President is published for general information.

#### ORDER

In pursuance of clause 3 of article 77 of the Constitution of India, the President is pleased to direct that work connected with the administration of Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955, shall be transferred from the Ministry of Information and Broadcasting to the Ministry of Labour.

(Sd.) RAJENDRA PRASAD,  
President.

The 21st April 1956.

[No. F.3/3/56-Public-I.]

A. V. PAI, Secy.

## MINISTRY OF EXTERNAL AFFAIRS

*New Delhi, the 24th April, 1956*

**S.R.O. 1134.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following amendment to the "Class I and Class II Emigration Officers' Recruitment Rules".

2. The amendment hereby made shall be deemed to have come into force on the 1st October, 1955.

*Amendment*

In the Schedule to the said rules, for the entry in column 2 and column 3 against item 9, the entry "No" shall be substituted.

[No. 37-EMI/56.]

[F.12-32/52-Emi.]

KHUB CHAND, Jt. Secy.

*New Delhi-3 26th April, 1956*

**S.R.O. 1135.**—In pursuance of sub-sections (3) and (5) of Section 11 of the Port Haj Committees Act, 1932 (XX of 1932), the elections at the meeting of the Port Haj Committee held on the 29th March, 1956 of Shri M. A. Golandaz, M.L.A., as Chairman and Shri M. A. Latif and Shri F. K. Azami as Vice-Chairmen of the Port Haj Committee, Bombay, are hereby approved and notified.

[No. 250-WANA/56.]

G. D. SETH, Under Secy.

*New Delhi, the 11th May 1956*

**S.R.O. 1136.**—In exercise of the powers conferred by sub-section (1) of Section 213 of the Indian Merchant Shipping Act, 1923 (XXI of 1923), the Central Government hereby makes the following further amendments in the Indian Pilgrim Ships Rules, 1933, the same having been previously published as required by sub-section (3) of the said section.

In the said Rules :—

1. For form V appended to the said rules the following form shall be substituted, namely :—

(FORM V)

(See Rule 124)

*Pilgrim-Pass for Pilgrims proceeding to the Hejaz from ports in the States of India.**Emblem of India*

Name.....

Bombay

Calcutta.

Port of Embarkation

Page 2

INDIAN

(a)

FOREIGN (Resident/Non-Resident)

(b) This Pilgrim Pass issued by the authority of the President of India, requests and requires all those whom it may concern to afford the person mentioned herein going on Haj all needed assistance and protection.

(c) This Pilgrim Pass has been issued to enable the holder to travel by Pilgrim Ship.

This Pass is valid for single journey from India to Hejaz during the year ..... and for return within one year of the date of departure from India.

N.B.— The Pass is not valid for travel to any country other than Saudi Arabia.

By order of the President of India.

Foreign Secretary to the Government of India  
in the Ministry of External Affairs.

Issued at.....Signature of issuing officer.....on.....  
Designation of issuing officer.....Registered at Bombay

Calcutta.

On.....

Signature.....  
Executive Officer, Port Haj Committee.

- (a) Strike out the words which are not applicable.  
(b) For Indians only.  
(c) For Foreigners.

Page 3

Pilgrim Pass No.....

|                            |  |
|----------------------------|--|
| Photograph of the holder * | Signature or thumb impression of the holder.<br>Distinctive marks (of the holder) if any, by which the holder can be identified. |
|----------------------------|--|

\* Not necessary in the case of a woman who objects to being photographed.

Page 4

*Particulars of the holder*

Name

\*Father's name

Nationality

Sex and age

Occupation

Full postal address

Village

Post Office

District

State

(All the particulars required above should be correctly filled in).

\*If the holder be a married female or a widow, the name and father's name of her husband or deceased husband should be given and the words "Wife of" or "Widow of", as the case may be should be prefixed.

## Page 5

Name, father's name and nationality of pilgrims, if any, whom holder is accompanying on the Haj \*

Name, father's name and full address of holder's nominee or legal representative (See Rule 140)

Particulars regarding provision, if any, made for the holder's voyage to India. If not, reasons for exemption. (See Rules 126, 127 and 131)

Class and serial number of ticket for outward voyage (See Rule 131)

Name of ship by which outward voyage is to be performed (See Rule 131)

\* These particulars should be filled in when the holder is a child under 16 years or a female.

## Page 6

Particulars of children accompanying the holder

| Name | Age | Sex | Relationship with holder |
|------|-----|-----|--------------------------|
|      |     |     |                          |
|      |     |     |                          |
|      |     |     |                          |

## Page 7

Particulars concerning anti-cholera inoculation and anti-small-pox vaccination certificates.\*

To be filled in, if possible, at the time of the issue of the pilgrim-pass otherwise at the time of registration at the port of embarkation).

|   | Inoculation Certificate | Vaccination Certificate |
|---|-------------------------|-------------------------|
| Place of issue  |                         |                         |
| Date of issue   |                         |                         |
| Name and designation of the person who issued the certificate.                |                         |                         |
| Name and designation of the person if any, who countersigned the certificate. |                         |                         |

\* The certificates of inoculation and vaccination obtained from a district must be produced in original at the port of embarkation for inspection by the Port Health Officer, failing which the pilgrim will be liable to re-immunisation.

## Page 8

## Deposit--Paid Receipt

Pilgrim Pass No.....

Issued at.....

On.....19 ..

The bearer of this receipt..... son of.....  
of district..... State.....has deposited the sum of  
pees.....(Rs.....) to defray the cost of the return voyage from  
Jedda to.....

Signed.....

Designation of Receiving Officer.....

(Endorsement by the Indian Mission, Jedda).

The above-named pilgrim has returned to India per s.s..... This receipt is transferred to the Executive Officer, Port Haj Committee, Bombay for adjustment.

Signed.....

Representative of Government of India at Jedda.

## Page 9

*Particulars regarding final disposal of holder's deposit*

(a) When deposit is refunded.

[See Rules 138(4), 139(2), 141(2), 142(2) and 146].

Name of person receiving refund .....

Date of refund.....

Reasons for making refund.....

Designation of officer making the refund.....

(b) When deposit is made to defray the Cost of return passage [See Rule 136(4)].

Name of person to whom payment is made.....

Date of payment .....

Designation of officer making the payment.....

(c) When unclaimed deposit is credited to Haj Fund [See Rule 148(2)].

Date of credit to Haj Fund.....

## Page 10

(For the use of the Indian Mission, Jedda).

Registration No.....

Received for safe custody return ticket or deposit paid receipt of the holder of his pass.

Indian Mission, Jedda.

Date.....

Signed.....

Representative of Government of India at Jedda.

Rotation No.....

The holder of this pass has this day notified his desire to return to India. Return ticket or deposit-paid receipt sent to the local Shipping Agents for a return passage.

Good for return journey to India.

Indian Mission, Jedda.

Date.....19 .

Signed.....

Representative of Government of India at Jedda.

## Page 11

Blank, for Saudi Arabian Visa.

## Page 12

Blank, for Saudi Arabian Visa.

## Page 13

*Instructions to Pilgrims*

(i) This pilgrim-pass is not transferable and is liable to confiscation if found in the possession of any person other than the rightful owner.

(ii) Every Pilgrim is required to present his or her pass for registration to the Executive Officer of the Port Haj Committee of the port of embarkation in India.

(iii) Every pilgrim is required, on landing at Jedda, to get his or her pass registered at the Indian Mission, Jedda. He is also advised to deliver to the Indian Mission his or her return ticket, any, or deposit paid receipt, for safe custody.

(iv) Pilgrims are warned that if they do not deposit their return tickets, etc., at the Indian Mission, Jedda, they will run the risk of loss if the tickets are kept by them throughout during the Haj and will also lose the benefit of the Rotation System by which return-passage is determined on the occasion of their homeward-journey thereby incurring unnecessary expenses during their stay in the Hejaz.

(v) Pilgrims are advised to report to the Indian Mission at Jedda any difficulty they may experience during their stay in the Hejaz.



(vi) The officials of the Indian Mission are always accessible to pilgrims and ready to help and assist them in their difficulties in the Hejaz.

(vii) Free medicine and free consultation are available for Indian pilgrims at the Government of India dispensaries at Mecca, Jedda and Muna. Pilgrims in need are advised to avail themselves of these facilities. The Indian Medical Officer charges five rupees for a visit to the patient's lodging. Medicine is supplied free. Indigent pilgrims who are too ill to attend at the Indian dispensaries personally are attended to free in their quarters.

(viii) Pilgrims are warned in their own interests not to appoint any executor against the event of their death in the Hejaz to deal with their estates. Such appointments only involve the estate in unnecessary expenditure without corresponding advantage. The general procedure of dealing with the effects of those who die is that the local government collect them on the death of a pilgrim and eventually hand them over to the Indian Mission at Jedda which forwards them to the authorities concerned at the ports of embarkation in India for disposal.

(ix) Pilgrims are warned that their deposit-paid receipts or return tickets are not transferable and are liable to confiscation if found in the possession of any unauthorised person.

1. For sub-rule (2) of rule 124, the following sub-rule shall be substituted, namely :—

2. "A fee of eight rupees shall be charged for the registration of a pilgrim pass at the port of embarkation and the proceeds from the fee shall be credited to the Haj Fund and/or to any other Fund at the disposal of the Port Haj Committee in such proportion or proportions as the Central Government may direct from time to time."

[No. F. 32 (39)—AWT/55.]

MOHD. YUNUS, Dy. Secy (W)

## MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 9th May 1956

**S.R.O. 1137.**—In supersession of the authorization granted by the Governor-General of India on the 24th day of September 1949 and published in the *Gazette of India (Extraordinary)* as Notification No. D.5201-E.F.IV/49, dated the 26th day of October 1949, I, Rajendra Prasad, President of Republic of India, hereby authorise each of the officers for the time being holding the appointments of (i) the Chief Accounts Officer of the India Supply Mission in the United States of America (ii) the Accounts Officer of the India Supply Mission in the United States of America and (iii) the First Secretary to the Indian Embassy in the United States of America, to sign and execute on behalf of the President of India any application, bond, certificate or other document required or permitted by the provisions of any Loan Agreement that has been or may hereafter be entered into between India and the International Bank for Reconstruction and Development.

Signed at New Delhi on the Ninth day of May, One thousand Nine hundred and Fifty Six, in the seventh year of the Republic of India.

(Sd.) RAJENDRA PRASAD,  
President of India.

[No. F.2(43)E.F.I.V./56.]

P. P. SRIVASTAVA, Under Secy.

(Communications Division)

New Delhi, the 4th May 1956

**S.R.O. 1138.**—In exercise of the powers conferred by section 6 of Post Office National Savings Certificates Ordinance, 1944 (42 of 1944), the Central Government hereby directs that the following further amendment shall be made in the Post Office National Savings Certificates Rules—1944, namely:—

In the said rules, in item (ii) of clause (d) of sub-rule (1) of rule 1, the word and figures "Class II" shall be omitted.

[No.2185-C3/PT/56.]

S. VISVANATHAN, Dy. Secy.

**MINISTRY OF FINANCE (REVENUE DIVISION)****INCOME-TAX***New Delhi, the 8th May 1956*

**S.R.O. 1139.**—In exercise of the powers conferred by section 12 of the Finance Act, 1950 (XXV of 1950), the Central Government hereby makes the following amendment in the Taxation Laws (Part B States) (Removal of Difficulties) Order, 1950, namely:—

In the said Order, after paragraph 2, the following Explanation shall be inserted, namely:—

*“Explanation.*—For the purpose of this paragraph, the expression ‘all depreciation actually allowed under any laws or rules of a Part B State’ means and shall be deemed always to have meant the aggregate allowance for depreciation taken into account in computing the written-down-value under any laws or rules of a Part B State or carried forward under the said laws or rules.”

[No. 39.]

[14-St(Int)-IT/56.]

P. N. DAS GUPTA, Dy. Secy.

**CENTRAL BOARD OF REVENUE****INCOME-TAX***New Delhi, the 3rd May 1956*

**S.R.O. 1140.**—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922) and in partial modification of its Notification S.R.O. 1935 (No. 71-Income-tax dated the 1st September 1955), the Central Board of Revenue hereby directs that Shri N. D. Mehrotra, Commissioner of Income-tax, shall be designated as Commissioner of Income-tax, Bombay City I and shall perform all the functions of a Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or of such income or classes of incomes as are comprised in the Income-tax Circles, Wards and Districts, in the areas of Bombay City and Bombay Suburban Districts specified in column 1 of the Schedule appended to the aforesaid Notification:

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax authority subordinate to him:

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax authority outside his jurisdictional areas.

This notification shall be deemed to have taken effect from the afternoon of the 25th day of April, 1956.

[No. 37.]

[55/44/56-IT.]

B. V. MUNDKUR, Under Secy.

**CUSTOMS***New Delhi, the 12th May 1956*

**S.R.O. 1141.**—In exercise of the powers conferred by Section 79 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue hereby directs that in its notification No. 111-Customs, dated the 9th September, 1950, the entry “Kandla” shall be omitted.

[No. 22.]

**S.R.O. 1142.**—In exercise of the powers conferred by Section 79 of the Sea Customs Act 1878 (VIII of 1878), the Central Board of Revenue hereby makes the following amendments in its notification No. 110-Customs, dated the 9th September, 1950, namely:—

In the said notification, the entry “7. Kandla” shall be omitted and for the entry “8. Mandvi”, the entry “7. Mandvi” shall be substituted.

[No. 23.]

## LAND CUSTOMS

New Delhi, the 12th May 1956

**S.R.O. 1143.**—In exercise of the powers conferred by Sub-section (1) of section 3 of the Land Customs Act, 1924 (XIX of 1924), read with the notification of the Government of India in the late Finance Department (Central Revenue) No. 5944, dated the 13th December, 1924, the Central Board of Revenue hereby makes the following amendment in its notification No. 190-Customs, dated the 10th December 1955, namely:—

In the Schedule to the said notification, for the entry "(3) Circle Inspectors of Police", the entry "(3) Inspectors of Police" shall be substituted.

[No. 24.]

W. SALDANHA, Secy.

## INCOME-TAX

New Delhi, the 15th May 1956

**S.R.O. 1144.**—In exercise of the powers conferred by sub-section (6) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue hereby directs that the following further amendments shall be made in the schedule appended to its notification S.R.O. 1214 (No. 44-Income-tax), dated the 1st July, 1952, namely:—

In the said Schedule, after S. No. 3B, the following entry shall be inserted:

| 1   | 2  | 3  | 4  | 5   | 6   |
|-----|--|--|--|---|-----|
| 3-C | Employees of American Baptist Foreign Mission Society, Madras. | Income-tax Officer, Salaries Circle, Madras. | Inspecting Assistant Commissioner Central Range, Madras. | Appellate Assistant Commissioner A-Range, Madras. | do. |

[No. 38.]

[55/21/56-IT.]

**S.R.O. 1145.**—In exercise of the powers conferred by sub-section (6) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue directs that the following further amendments shall be made in the Schedule appended to its notification S.R.O. 1214 (No. 44-Income-tax), dated the 1st July, 1952, namely:—

In the said Schedule after S. No. 21-B, the following item shall be inserted, namely:

| 1   | 2  | 3   | 4   | 5   | 6   |
|-----|--|-----|-----|-----|-----|
| 1-C | Executive staff of Messrs. Standard Vacuum Oil Company Stationed anywhere in the taxable territories | do. | do. | do. | do. |

[No. 40.]

[55/99/55-IT.]

M. S. SIVRAMAKRISHNA, Under Secy.

## MINISTRY OF COMMERCE AND INDUSTRY

Bombay, the 2nd May 1956

**S.R.O. 1146.**—In exercise of the powers conferred by the Proviso to Explanation I to sub-section (1) of Section 3 of the Dhoties (Additional Excise Duty) Act 1953 (No. 39 of 1953), the Central Government hereby fixes the permissible quota for each quarter in respect of M/s. the Chhaganlal Textile Mills Ltd., Chalisgaon to be 4,30,000 yards (Four lakhs and thirty thousand yards only).

[No. F.8(5)-CTA/56—No. 1.]

**S.R.O. 1147.**—In exercise of the powers conferred by the Proviso to Explanation I to sub-section (1) of Section 3 of the Dhories (Additional Excise Duty) Act, 1953 (No. 39 of 1953), the Central Government hereby cancels the Notification No. S.R.O. 1557, dated the 15th May 1954.

[No. F.8(5)-CTA/56—No. 2.]

**S.R.O. 1148.**—In exercise of the powers conferred by the Proviso to Explanation I to sub-section (1) of Section 3 of the Dhories (Additional Excise Duty) Act, 1953 (No. 39 of 1953) the Central Government hereby fixes the permissible dhoti quota for each quarter in respect of M/s. Shree Sayaji Mills Co. Ltd., No. 2, Bombay to be 3,28,164 yards (three lakhs twenty eight thousand one hundred and sixty four yards only).

[No. F.8(5)-CTA/56—No. 3.]

K. K. SETHI, Under Secy.

*New Delhi, the 11th May 1956*

**S.R.O. 1149.**—The following draft of certain further amendments in the Tea Rules, 1954 which the Central Government proposes to make in exercise of the powers conferred by section 49 of the Tea Act, 1953 (29 of 1953), is hereby published, as required by sub-section (1) of section 49 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 16th June 1956.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

#### *Draft Amendments*

In the said rules for rule 39, the following rule shall be substituted, namely:—

“39. *Payments from the Tea Fund.*—(1) All payments made by the Central Government to the Board under section 26 of the Act out of the proceeds of the cess levied under sub-section (1) of section 25 of the Act shall be debited to the Major Head ‘43 Industries and Supplies’.

(2) Payments by or on behalf of the Board shall be made in cash or by cheque drawn against a current account of the Board.”

[No. 32(7) Plant/55.]

#### CORRIGENDUM

*New Delhi, the 10th May 1956*

**S.R.O. 1150.**—In the Ministry of Commerce and Industry Notification No. S.R.O. 697, dated the 17th March, 1956 published at pages 434 to 443 in Part II Section 3 of the *Gazette of India*, dated the 24th March, 1956, the following corrections be made:—

(i) For “Rs. 36,657-10-0” against the detailed head “(p) Tea Distribution etc. in Campaign” under the sub-head “II. BY PROPAGANDA IN INDIA” Read “Rs. 30,657-10-0”

(ii) For “Rs. 8,63,506-11-0” against the total expenditure under the head “II. BY PROPAGANDA IN INDIA” Read “Rs. 8,63,505-11-0”.

[No. 46(2) Plant/56.]

P. V. RAMASWAMY, Under Secy

#### ORDER

*New Delhi, the 9th May 1956*

**S.R.O. 1151.**—[IDRA/6/Am (7)].—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (LXV of 1951), the Central Government hereby appoints Shri G. D. Joglekar, Assistant Director,

National Physical Laboratory, New Delhi, to be a member of the Development Council established for the group of scheduled industries engaged in the manufacture and production of telephones, telegraph apparatus and wireless communication apparatus, electric lamps, electric fans, batteries dry cells and storage, radio receivers and house service meters and panel instruments, and makes the following amendment in the Order of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 353/IDRA/8/1 dated the 1st February 1955, namely:—

In paragraph 1 of the said order, under the category of members "being persons who in the opinion of the Central Government have special knowledge of matters relating to the technical or other aspects of the group of the said scheduled industries", after entry No. 8B relating to Dr. P. K. Kapre, the following entry shall be inserted, namely:—

"8C. Shri G. D. Joglekar,  
Assistant Director,  
National Physical Laboratory,  
New Delhi."

[No. 5(11) IA (GB)/56]

D. N. KRISHNAMURTHY, Under Secy.

(Indian Standards Institution)

*Delhi, the 4th May, 1956*

**S.R.O. 1152.**—In pursuance of sub-regulations (2) and (3) of regulation of 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standards particulars of which are given in the Schedule hereto annexed, have been established during the period 16th to 30th April 1956.

THE SCHEDULE

| Sl. No. | No. and title of the Indian Standard established  | No. and title of the Indian Standard or Standards, if any, superseded by the new Indian Standard | Brief Particulars   |
|---------|---|--|---|
| 1       | 2   | 3  | 4   |
| 1       | IS: 687-1956 Method for Determination of Colour Fastness of Textile Materials to Hand Washing     | ..   | This standard prescribes a method for determination of colour fastness of textile materials to the action of soap solutions as used in washing them by hand. (Price Re. 1/-).           |
| 2       | IS: 688-1956 Method for Determination of Colour Fastness of Textile Materials to Organic Solvents | ..   | This standard prescribes a method for determination of colour fastness of textile materials to organic solvents commonly used in cleaning or mill processing. (Price Re. 1/-).          |
| 3       | IS: 689-1956 Method for Determination of Colour Fastness of Textile Materials to Hot Pressing     | ..   | This standard prescribes a method for determination of colour fastness of textile yarns, thread and fabrics of all kinds to ironing and to porcessing on hot cylinders (Price Re. 1/-). |

| 1  | 2  | 3  | 4   |
|----|--|----|---|
| 4  | IS 690-1956 Method for Determination of Colour Fastness of Textile Materials to Sea Water                    | .. | This standard prescribes a method for determination of colour fastness of textile materials to sea water (Price Re. 1/-)  |
| 5  | IS 723-1956 Specification for Mild Steel Wire Nails  | .. | This standard prescribes the requirements of material, dimensions and finish for wire nails of different types (Price Rs. 1/8/-).   |
| 6  | IS 724-1956 Specification for Mild Steel and Brass Cup, Ruler and Square Hooks and Screw Eyes                | .. | This standard prescribes the requirements of material, fabrication, dimensions and finish of mild steel and brass cup ruler and square hooks and screw eyes (Price Rs. 1/8/-)   |
| 7  | IS 757-1955 Specification for Handloom Cotton Lint, Absorbent, Bleached                                      |    | This standard prescribes the constructional details and other particulars of bleached, handloom cotton absorbent lint Price (Rs. 1/8/-).  |
| 8  | IS 758-1955 Specification for Handloom Cotton Gauze, Absorbent, Bleached                                     |    | This standard prescribes the constructional details and other particulars of bleached, handloom cotton absorbent gauze (Price Rs. 1/8/-).   |
| 9  | IS : 762-1956 Method for Determination of Colour Fastness of Textile Materials to Hypochlorite, Bleaching    | .. | This standard prescribes a method for determination of colour fastness of textile materials to the action of bleaching baths containing sodium or calcium hypochlorite in concentrations normally used in commercial bleaching (Price Re. 1/-). |
| 10 | IS:764-1956 Method for Determination of Colour Fastness of Textile Materials to Mechanical Washing (Mild)    | .. | This standard prescribes a method for determination of colour fastness of textile materials to the action of soap and sodium carbonate solutions at 60° ± 2°C (Price Re. 1/-).  |
| 11 | IS: 765-1956 Method for Determination of Colour Fastness of Textile Materials to Mechanical Washing (Severe) | .. | This standard prescribes a method for the determination of colour fastness of textile materials to the action of soap and sodium carbonate solutions near the boiling point (Price Re. 1/-)   |
| 12 | IS : 766-1956 Method for Determination of Colour Fastness of Textile Materials to Rubbing                    | .. | This standard prescribes a method for determination of colour fastness of textile materials to rubbing off and staining other materials. (Price Re. 1/-)  |
| 13 | IS : 767-1956 Method for Determination of Colour Fastness of Textile Materials to Water                      |    | This standard prescribes a method for determination of colour fastness of textile materials to water (Price Re. 1/-)  |
| 14 | IS : 786-1956 Method for Evaluating Change in Colour   | .. | This standard prescribes a method for evaluating, by means of geometric grey scale, change in colour of textile materials during colour fastness tests (Price Re. 1/-).   |

| 1  | 2   | 3  | 4   |
|----|---|----|---|
| 15 | IS: 769-1956 Method for Evaluating Staining               | .. | This standard prescribes a method for evaluating by means of geometric staining scale staining of undyed fabrics during colour fastness tests. (Price Re. 1/-).           |
| 16 | IS: 799-1955 Specification for Ammonia, Liquor, Technical | .. | This standard prescribes the requirements and the methods of test for liquor ammonia, also known as aqua ammonia, ammonium hydroxide and ammonia water (Price Rs. 1/8/-). |

Copies of all these Indian Standards are available for sale with the Indian Standards Institution, 19, University Road, Delhi-8.

(Sd.) D. V. KARMARKAR,  
Deputy Director (Marks),  
Indian Standards Institution.

[No. MDC/11 (4).]

**S.R.O. 1153.**—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955 the Indian Standards Institution hereby notifies that amendments to the Indian Standards given in the Schedule hereto annexed have been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations.

THE SCHEDULE

| Sl. No. | No. and title of the Indian Standard amended  | No. & date of Gazette Notification in which the establishment of the Indian Standard was notified | No. & date of Amendment | Brief particulars of Amendment   | Date of effect of the Amendment |
|---------|---|---|-------------------------|--|---------------------------------|
| (1)     | (2)   | (3)   | (4)                     | (5)  | (6)                             |
| 1       | IS : 219-1950 Specification for Ink Powders and Tablets, Blue-Black and Red.            | S.R.O. 658, dated the 26th March 1955.  | No. 1 May 1956          | The test for freedom from alkalinity of glass bottles has been changed to a test for suitability of glass bottles and Appendix B has been amended.<br><br>The maximum percentage of the matter insoluble in water has been reduced from 20 to 3 per cent in the case of the blue-black ink powder and tablets. | 16th May 1956.                  |
| 2       | IS : 220-1950 Specification for Fountain Pen Inks, Blue-Black and Red.                  | -do-  | No. 1 May 1956          | The test for freedom from alkalinity of glass bottles has been changed to a test for suitability of glass bottles and Appendix A has been amended.<br><br>The requirements of free sulphuric acid and free acid have been deleted and the requirement for total soluble solids has been amended.               | 16th May 1956.                  |
| 3       | IS : 221-1950 Specification for Fluid Ink for Registration and for Cheques and Records. | S.R.O. 658, dated the 26th March 1955.  | No. 1 May 1956          | The test for freedom from alkalinity of glass bottles has been changed to a test for suitability of glass bottles and Appendix A has been amended.   | 16th May 1956.                  |



|   |   |                                       |                    |   |                |
|---|---|---------------------------------------|--------------------|---|----------------|
| 4 | IS:222-1950 Specification for Blue-Black Superior Fluid Ink for Writing.                            | -do-                                  | No. 1<br>May 1956  | The test for freedom from alkalinity of glass bottles has been changed to a test for suitability of glass bottles and Appendix A has been amended.  | 16th May 1956. |
| 5 | IS : 251-1950 Specification for Soda Ash, Technical ( <i>Tentative</i> )                            | -do-                                  | No. 1<br>May 1956  | The specified values of various characteristics given in Table II have been revised.  | 16th May 1956. |
| 6 | IS : 705-1955 Specification for Dry Battery-Operated Community Radio Receivers ( <i>Tentative</i> ) | S.R.O. 1172, dated the 25th May 1955. | No. 1<br>June 1956 | The words "suitably bonderized" in clause 3.1.4, lines 1 and 2 have been replaced by "shall be given a suitable anti-corrosion pretreatment". Additional requirements relating to Projecting Metal Parts, I. F. Interference and Image Ratio have been prescribed by introducing new clauses 3.1.7, 7.8 and 7.9 respectively. | 1st June 1956. |
| 7 | IS : 706-1955 Specification for AC Mains-Operated Community Radio Receivers ( <i>Tentative</i> )    | -do-                                  | No. 1<br>June 1956 | The words "suitably bonderized" in clause 3.1.4, lines 1 and 2 have been replaced by "shall be given a suitable anti-corrosion pretreatment". Additional requirements relating to Projecting Metal Parts, I.F. Interference and Image Ratio have been prescribed by introducing new clauses 3.1.8, 7.7 and 7.8 respectively.  | 1st June 1956. |

Copies of these Amendments are available, free of cost, from the Indian Standards Institution, 19 University Road, Delhi-8.

(Sd.) D. V. KARMARKAR,  
Deputy Director (Marks)  
Indian Standards Institution.  
[No. MDC/11(4).]  
S. K. PAL, Under Secy.

**MINISTRY OF FOOD AND AGRICULTURE***New Delhi, the 7th May 1956*

**S.R.O. 1154.**—In pursuance of the provisions of Section 4(4) (ii) of the Indian Lac Cess Act, 1930 (XXIV of 1930), Dr. R. W. Aldis of Messrs. Angelo Bros. Ltd., Cossipore, Calcutta, has been nominated by the Bengal Chamber of Commerce to be a member of the Governing Body of the Indian Lac Cess Committee to represent the shellac manufacturing industry *vice* Mr. J. P. Young resigned. Dr. Aldis will hold office till the 30th September, 1956, under Rule 4(b) of the Indian Lac Cess Rules, 1930.

[No. 4-2/56-Com.I.]

*New Delhi, the 7th May 1956*

**S.R.O. 1155.**—Dr. R. Sankaran, M.A. Ph.D. (London), was appointed to officiate as Secretary, Indian Central Oilseeds Committee, Hyderabad, with effect from the 15th February, 1956 (Forenoon) *vice* Dr. P. J. Gregory.

[No. 5-1/56-Com.I.]

**(Agriculture)***New Delhi, the 7th May 1956*

**S.R.O. 1156.**—Under Section 4(VI) of the Indian Cotton Cess Act, 1923 (XIV of 1923), the Central Government are pleased to re-nominate Shri T. P. Chakraborty c/o The Mohini Mills Ltd., 214, Cross Street, Calcutta, to be member of the Indian Central Cotton Committee, Bombay, to represent the Government of West Bengal, with effect from the 1st April, 1956.

[No. F1-42/56-Com.II.]

MOKAND LALL, Under Secy.

**MINISTRY OF TRANSPORT****(Transport Wing)****PORTS***New Delhi, the 11th May 1956*

**S.R.O. 1157.**—In pursuance of sub-section (2) of section 6 of the Calcutta Port Act, 1890 (Bengal Act III of 1890), it is hereby notified that, in accordance with the provisions of section 16 of the said Act, Shri J. N. Mookherjee of Messrs. Khas Kenda Colliery Ltd., Calcutta has been elected by the Bengal National Chamber of Commerce to be a Commissioner for the Port of Calcutta *vice* Shri P. Mukherjee deceased.

[No. 9C-PI(36)/56.]

*New Delhi, the 15th May 1956*

**S.R.O. 1158.**—In pursuance of sub-section (3) of section 6 of the Bombay Port Trust Acts 1879 (Bombay Act VI of 1879), the Central Government hereby publishes the following return received from the Secretary, Bombay Chamber of Commerce, namely :—

*Return showing the name of the gentleman elected by the Bombay Chamber of Commerce in accordance with the provisions of the Bombay Port Trust Act, 1879 to be a member of the Board of Trustees of the Port of Bombay during the absence on leave of Shri A.H. Hume.*

| Date of election | Name of the gentleman                   | Panel of commercial interests represented |
|------------------|---|---|
| 26th April 1956  | Shri B. R. Graham (anchor Line Limited) | Shipping.                                 |

[No. 8C-PI(54)/56.]

K. NARAYANAN, Under Secy.

## MERCHANT SHIPPING

New Delhi, the 14th May 1956

**S.R.O. 1159.**—In exercise of the powers conferred by Section 245 of the Indian Merchant Shipping Act, 1923 (XXI of 1923), and in supersession of the Indian Merchant Shipping (Wireless Telegraphy) Rules, 1934, in so far as they relate to direction finding apparatus the Central Government hereby make the following Rules:—

*Preliminary*

1. These rules may be called the Indian Merchant Shipping (Direction—Finders) Rules, 1956.
2. They shall come into force on 1st September 1956.
3. In these rules, unless the context otherwise requires—
  - (i) “interference” means any radiation or any induction which endangers the functioning of a radio navigation service or a Safety Service or obstructs or repeatedly interrupts radio service operating in accordance with these rules;
  - (ii) “international voyage” means a voyage from a country to which the Safety Convention applies to a port outside such country or conversely; and for the purposes of this definition, every territory for the international relations of which a contracting Government is responsible or which the United Nations are the administering authority shall be regarded as a separate country;
  - (iii) “mile” means a nautical mile of 6080 feet;
  - (iv) “Schedule” means a Schedule annexed to the rules;
  - (v) “tons” means gross tons;
  - (vi) In relation to waves and signals—
    - (a) “Type A1” means radiotelegraphy by the keying of a continuous wave on and off;
    - (b) “Type A2” means amplitude radiotelegraphy by the keying of a modulating audio frequency or of an emission continuously modulated by an audio frequency; and
    - (c) “Type B waves” means damped waves.

4. Any ship which is provided with a direction-finder which was installed in the ship before the 19th November 1954, shall not be required to comply with the requirements of rules 6 and 7 if the direction-finder—

(a) complies with such of the requirements of the Indian Merchant Shipping (Wireless Telegraphy) Rules, 1934, as would have been applicable to it had the said rules not been revoked, and

(b) is capable of—

- (i) receiving type A1, A2 and B waves on all frequencies from 255 Kc/s to 525 Kc/s; and
- (ii) taking radio bearings when the field strength at the loop aerial system is as low as 50 microvolts per metre.

*Application*

5. These rules shall apply to ships which are—

- (a) sea-going Indian ships of 1,600 tons and upwards.
- (b) other sea-going ships of 1,600 tons and upwards while they are within a port in India.

and are not—

- (i) troopships not registered in India;
- (ii) ships not propelled by mechanical means;
- (iii) pleasure yachts; or
- (iv) fishing boats.

Provided that these rules shall not apply to any ship not engaged on an international voyage.

*Provision of Direction-Finders*

6. Every ship to which these rules apply shall be provided with a direction-finder, complying with the requirements specified in the First Schedule.

*Climatic and Durability Tests*

7. (1) The direction-finder required by these rules shall be such that it will be free from mechanical defects and will comply with the requirements of these rules—

- (a) while undergoing the vibration, dry heat, and low temperature tests specified in the Second Schedule;
- (b) when subjected to the damp heat tests specified in sub-paragraph (4) of paragraph 3 of the said Schedule, and
- (c) immediately after undergoing the other tests specified in the said Schedule.

(2) The loop aerial system referred to in the First Schedule shall be such that after undergoing the mould growth tests specified in the Second Schedule no mould growth will be present on it.

*Interference with Reception*

8. At no time when the ship is at sea shall interference or mechanical noise produced by the direction-finder required by these rules or by other equipment in the ship be sufficient to prevent the efficient determination of radio bearings by means of the direction-finder.

*High Voltage Parts*

9. All parts and wiring of the equipment specified in these rules in which the direct and alternating voltages (other than radio frequency voltages) combine at any time to give an instantaneous voltage greater than 250 volts shall be protected from accidental access and, except in the case of a generator or converter, shall be isolated automatically from all sources of electrical energy when the means of protection are removed.

*Supply of Electrical Energy*

10. There shall be available in every ship to which these rules apply, at all times she is at sea, a supply of electrical energy sufficient for the operation of the direction-finder. When the ship is in port such supply shall also be available for testing purposes at all reasonable times.

*Charging of Batteries*

11. Equipment shall be provided on board every ship to which these rules apply for the charging of any batteries which are provided as a source of electrical energy for the direction-finder, and the ship's main source of electrical energy shall always be available for charging the batteries when the ship is at sea. The master of the ship shall cause such batteries to be tested once a day by voltmeter and once a month by hydrometer, and shall cause any battery which is found not to be fully charged to be brought up to that condition as soon as may be.

*Installation of Direction-Finder*

12. (1) The direction-finder shall be installed in such a position that efficient determination of radio bearings by means of the direction-finder will not be hindered by extraneous noises.

(2) (a) The loop aerial system referred to in the First Schedule shall be mounted in such manner that the efficient determination of radio bearings by means of the direction-finder will be hindered as little as possible by the proximity of aerials, derricks, wire halyards and other large metal objects.

(b) Unless the feeder cables connecting the loop aerial system with the receiver forming part of the direction-finder consists of solid-dielectric screened cable, they shall be protected by metal tubes which are bonded to earth. The joints of the feeder cables shall be watertight.

*Means of Communication*

13. (1) In every ship to which these rules apply an efficient two-way means of calling and voice communication shall be provided between the receiver forming part of the direction-finder and the bridge from which the ship is normally navigated.

(2) In every such ship an efficient means of signalling shall be provided between the receiver forming part of the direction-finder and the ship's standard compass or gyro compass repeater, if any.

*Restriction of use of the Direction-Finder*

14. The direction-finder required by these rules shall not be used—

- (a) for any purpose other than the business of the ship; or
- (b) for keeping the radio watch required by the Indian Merchant Shipping (Radio) Rules, 1956.

*Calibration*

15. (1) The master of every ship to which these rules apply shall cause the direction-finder required by these rules to be calibrated in accordance with this rule by two persons, the one experienced in taking of radio bearings and the other experienced in taking visual bearings.

(2) The direction-finder shall be so calibrated as soon as may be after it has been installed in the ship and whenever any change is made in the position of the loop aerial system.

(3) The direction-finder shall be calibrated in the following manner:—

(a) The calibration of the direction-finder shall be carried out by taking simultaneously visual bearings upon a calibrating transmitter and radio bearings thereon by means of the direction-finder, the ship being either—

(i) swung through a complete circle, or

(ii) circled by another ship carrying the calibrating transmitter,

and in either case the bearings being taken throughout 360 degrees at intervals of 5 degrees or as close thereto as may be. The calibrating transmitter upon which the bearings are taken, whether it is situated on shore or on board another ship, shall be a transmitter operating on a frequency between 285 kc/s and 315 kc/s.

(b) Calibration tables and curves shall be prepared on the basis of the bearings taken in accordance with sub-paragraph (a) of this paragraph.

(4) The master of the ship shall cause the calibration tables and curves prepared in accordance with the foregoing provisions of this rule to be verified by means of check-bearings taken in the manner therein specified:—

(a) at intervals not exceeding twelve months, and

(b) whenever any change is made in any structure or fitting on deck which is likely to affect the accuracy.

If such verification shall show that the calibration tables or curves are materially inaccurate the master of the ship shall cause the direction-finder to be recalibrated as soon as may be in the manner specified in the foregoing provision of this rule.

*Records of Calibration and Verification*

16. The master of every ship to which these rules apply shall cause the following records to be kept on board in a place accessible to any person operating the direction-finder, and to be available for inspection at any reasonable time by a radio inspector appointed under the Indian Merchant Shipping Act, 1923 (XXI of 1923):—

(a) a list or diagram indicating the conditions and position, on the most recent occasion on which the direction-finder was calibrated, of

(i) the aerials, and of

(ii) all movable structures

on board the ship which might affect the accuracy of the direction-finder;

(b) the calibration tables and curves which were prepared on the most recent occasion on which the direction-finder was calibrated;

(c) a certificate of calibration, in the form specified in the Third Schedule relating to the most recent occasion on which the direction-finder was calibrated, and signed by the persons making the calibration; and

(d) a record, in the form specified in the Fourth Schedule of check-bearings taken for the verification of calibration, the bearings being numbered in the order in which they were taken.

*Wiring Diagram and Instructions*

17. A schematic wiring diagram of the direction-finder and a book containing adequate instructions as to the use of the direction-finder shall be provided and shall be available at all times for use by any person operating or testing the direction-finder.

*Manner in which Notice should be given to the Chief Officer of Customs*

18. The notice required to be given under sub-section (3) of section 243 of the Indian Merchant Shipping Act, 1923 (XXI of 1923), shall be in the form in the Fifth Schedule and a copy of every such notice shall on the same day be forwarded by the radio inspector issuing the notice to the Chief Officer of Customs at the port concerned.

*Fees*

19. (1) For the grant of the certificate referred to in sub-section (4) of section 243 of the Indian Merchant Shipping Act, 1923 (XXI of 1923), there shall be charged fee, calculated, subject to a maximum of Rs. 120, at the rate of Rs. 30 for each inspection of a ship which is made by the radio inspector with a view to the grant of the said certificate.

(2) The fee prescribed by sub-rule (1) shall be paid to the radio inspector before the certificate is granted.

**THE FIRST SCHEDULE**

[See Rules 6, 7 and 12]

*Direction-Finder*

1. *General.*—The direction-finder shall include a receiver and a loop aerial system. For the purposes of this Schedule [except paragraph 10(2) thereof] any goniometer forming part of the direction-finder shall be deemed to be part of the loop aerial system. The loop aerial system, other than ball bearings, hose clips, set screws and other similar small parts shall consist of non-magnetic material.

2. *Capability.*—The direction-finder shall be capable of headphone reception of waves of type A1, type A2 and type B of any frequency within the range of 255 kc/s to 525 kc/s, so as to enable the radio bearing and sense of the signal to be determined by reference to the minimum strength thereof.

3. *Controls.*—The receiver shall be provided with

- (1) a radio-frequency gain control;
- (2) a tuning control;
- (3) a tuning scale in which, at no point in the tuning range, an interval of 1/8 inch corresponds to a frequency change of more than 8 kc/s.

4. *General method of testing.*—The receiver shall comply with the requirements of paragraphs 5 to 12 inclusive, and 16 of this Schedule when tested in the following manner on any frequency within the range 255 kc/s to 525 kc/s:—

- (1) Signals (in this Schedule referred to as "locally generated signals") shall be obtained from one or more signal generators.
- (2) Locally generated signals shall be injected through a network in such manner that the signal generator or generators, as the case may be, and the network are together equivalent to a constant voltage generator in series with an impedance substantially equal to the impedance of the loop aerial system at the test frequency, when—
  - (a) the loop aerial system is adjusted for the determination radio bearings;
  - (b) the sense-finder is not in operation; and
  - (c) the impedance is measured between the two terminals to which the receiver is normally connected.
- (3) The effective height ( $h_e$ ) in metres of the loop aerial system shall be the ratio  $E/e$ , where  $E$  is the voltage produced by a vertically polarised field of strength  $e$  volts per metre, when—
  - (a) the loop aerial system is adjusted for the determination of bearings and for maximum pick-up;
  - (b) the sense-finder is not in operation;
  - (c) the receiver is not connected to the loop aerial system; and
  - (d) the voltage is measured between the terminals of the loop aerial system to which the receiver is normally connected.

- (4) The standard input level shall be the input level obtained when the electromotive force of the equivalent signal generator referred to in sub-paragraph (2) of this paragraph is 50  $\mu$  microvolts root mean square.
- (5) The standard output level shall be an audio-frequency output of one milliwatt into a resistance substantially equal to the modulus of the impedance of the telephone receivers at 1000 c/s.
- (6) The signal-noise ratio of the direction-under shall be determined either—
  - (a) by using vertically polarised waves for transmission of the input signal, and with the loop aerial system arranged for the determination of bearings and adjusted for maximum pick-up, but without the sense-finder in operation; or
  - (b) by using locally generated signals applied to the receiver only in the manner specified in sub-paragraph (2) of this paragraph.

5. *Signal and intermediate frequency selectivity.*—The signal frequency selectivity of the receiver, or in the case of a superheterodyne receiver the signal and intermediate frequency selectivity shall satisfy the following requirements:—

- (a) The minimum bandwidth for 6 decibels discrimination shall be 2 kc/s.
- (b) The maximum bandwidth in relation to discrimination shall be as follows:—

| Discrimination | 30<br>decibels | 60<br>decibels | 90<br>decibels |
|----------------|----------------|----------------|----------------|
| Bandwidth      | 5<br>kc/s      | 16<br>kc/s     | 35<br>kc/s     |

At any frequency outside the bandwidth of 35 kc/s specified in (b) the discrimination shall not be less than 90 decibels except in the case of superheterodyne receivers, where at the image frequency the discrimination shall not be less than 80 decibels.

6. *Gain.*—When

- (a) the input terminals of the receiver are closed solely through an external impedance substantially equal to that of the loop aerial system at the test frequency,
- (b) the sense-finder is not in operation, and
- (c) impedance is measured between the two terminals of the loop aerial system to which the receiver is normally connected,

the gain of the receiver shall be such that receiver noise can produce an output level of minus 10 decibels relative to the standard output level at any frequency within the range of frequencies specified in paragraph 2 of this Schedule.

7. *Signal/noise ratio.*—

(1) When

- (a) the note filter (if any) is switched out of circuit,
- (b) a type A1 signal is injected at the standard input level, and
- (c) the receiver gain is manually adjusted to give the standard output level, the signal/noise ratio shall not be less than 20 decibels.

(2) When

- (a) the note filter (if any) is switched out of circuit,
- (b) a type A2 signal modulated to a depth of 30 per cent. with a note frequency of 400 c/s is injected at the standard input level, and
- (c) the receiver gain is manually adjusted to give the standard output level, the signal/noise ratio shall not be less than 10 decibels.

(3) For the purposes of this paragraph spurious whistles shall be regarded as noise.

8. *Blocking.*—The change in output of the receiver shall not exceed 3 decibels at any frequency within the range of frequencies specified in paragraph 2 of this Schedule and at all levels of wanted signals up to 50 decibels above the standard input level, whether of type A1 or type A2, when locally generated signals of

type A1 or type A2 at a level of 40 decibels above the level of the wanted signal and spaced 10 kc/s from the carrier of the wanted signal are applied.

9. *Intermodulation.*—The input level of each of two unwanted signals shall not be less than plus 75 decibels relative to the standard input level when—

- (a) the receiver is adjusted to give standard output level with a locally generated wanted signal of standard input level modulated to a depth of 30 per cent., with a note frequent of 400 c/s at any frequency within the range of frequencies specified in paragraph 2 of this Schedule;
- (b) the input wanted signal has been removed; and
- (c) two unwanted locally generated signals each of any frequency which is not less than 50 kc/s from the frequency of the wanted signal but whose frequency sum or frequency difference is equal to the frequency of the wanted signal, one signal being modulated to a depth of 30 per cent. with a note frequency of 400 c/s and the other signal being unmodulated, are simultaneously applied at equal input levels so as to give an output equal to that previously obtained with the wanted signal.

10. *Radiation.*—(1) The direction-finder shall not in normal service produce a field exceeding 0.1 microvolt per metre when measured at a distance of one mile from the receiver.

(2) The receiver, including the goniometer, if any, shall be deemed to comply with the requirement of sub-paragraph (1) of this paragraph if, when

- (a) the receiver without the aerial system is placed centrally in a screened earthed enclosure of dimension at least six feet cube;
- (b) the earth terminal is connected to the inside of the screen;
- (c) each aerial terminal in turn is connected through an unscreened four-turn rectangular search coil situated within the said enclosure and of dimensions one foot square and an unscreened lead to a resistive measuring instruments mounted outside the enclosure, having its other terminal earthed;
- (d) the aerial terminal or terminals of the receiver, other than the terminal connected to the aforesaid measuring instrument, are earthed one at a time or in any combination or remain unearthed or are interconnected in any combination; and
- (e) the receiver is energised and unscreened headphones are connected thereto,

the power measured by the said measuring instrument when connected in the manner specified in (c) of this paragraph, does not exceed  $4 \times 10^{-10}$  watts whatever the resistance of the measuring instrument or the adjustment of the receiver, notwithstanding that the search coil be short-circuited or moved in any way provided that it does not approach within 6 inches of the receiver case.

11. *Tuning drift and stability.*—(1) After the receiver has been switched on for 5 minutes and tuned to any frequency within the frequency range specified in paragraph 2 of this Schedule the tune frequency shall not change by more than one part in one thousand in any period of 5 minutes;

(2) a change of 5 per cent., in any one of the supply voltages to the receiver, or to a power unit associated therewith, shall not cause the tune frequency to change by more than three parts in ten thousand; and

(3) a change of ambient temperature of 50° C. within the range of 0° C. to 50° C. applied after the receiver has been switched on for one hour shall not cause the tune frequency to change by more than one in one thousand.

12. *Heterodyne note stability.*—The heterodyne note stability of the receiver shall be such that—

- (1) the frequency of a heterodyne note which is initially one kilocycle per second shall not vary by more than 100 c/s when an input signal is increased over the range of levels from 0 to 60 decibels above the standard input; and
- (2) at all input levels within the range specified in sub-paragraph (1) of this paragraph a beat note of 200 c/s can be obtained by tuning either towards or away from zero beat.



13. *Accuracy of bearings.*—When the direction-finder is tested using type A2 waves modulated to a depth of from 80 per cent. to 100 per cent. and with a vertically polarised field having a level of 40 decibels relative to one microvolt per metre, the bearings indicated by the scale of the direction-finder shall, at all frequencies in the range of frequencies specified in paragraph 2 of this Schedule, throughout the whole 360 degrees of azimuth and after due allowance has been made for any site errors, be correct within plus or minus one degree of the true bearing.

14. *Quality of minima.*—When the direction-finder is arranged for the taking of bearings and is tested under the conditions specified in paragraph 13 of this Schedule, but with a field strength sufficient to give a signal/noise ratio of at least 50 decibels with the loop aerial system adjusted for maximum output, changes in the setting of the bearing indicator 5 degrees and 90 degrees in either direction from the position or positions of minimum output shall, at all frequencies in the range of frequencies specified in paragraph 2 of this Schedule, cause the audio-frequency output to increase by not less than 18 decibels and not less than 35 decibels respectively.

15. *Efficiency of sense-finder.*—When—

(a) the equipment is adjusted for the determination of sense, and is tested under the conditions specified in paragraph 13 of this Schedule, but with a field strength sufficient to give a signal/noise ratio of at least 50 decibels with the loop aerial system adjusted for maximum output, and

(b) the sense indicator is adjusted to indicate any bearing within plus or minus 10 degrees of the true bearing,

the audio-frequency output level of the receiver due to the wanted signal shall be at least 20 decibels below the output level that is obtained when the sense indicator is adjusted to indicate any bearing within  $180 \pm 10$  degrees of the true bearing.

16. *Fidelity.*—The maximum change in level of the output of the receiver shall be less than 8 decibels when the modulation frequency of an input signal of constant level and modulation depth is varied continuously from 300 c/s to 1,500 c/s. For the purposes of this paragraph the output of the receiver shall not exceed the standard output level and the input signal shall be applied at any level in the range from the standard input level to 50 decibels above that level.

#### THE SECOND SCHEDULE

[See rule 7]

##### *Climatic and Durability Tests*

##### 1. In this Schedule:

- (1) References to Class B equipment shall be construed as references to each part of the direction-finder other than the loop aerial system.
- (2) References to Class X equipment shall be construed as references to the loop aerial system.

2. (1) Class B equipment shall be subjected to the tests named opposite the letter B in the table given in sub-paragraph (4) of this paragraph, and Class X equipment shall be subjected to the tests named opposite the letter X in that table:

Provided that Class X equipment shall not be subjected to the Immersion Test if it is subjected to the Rain Test at a static pressure of not less than 45 or more than 65 pounds per square inch.

(2) All such tests shall be conducted in the order in which they appear in the aforesaid table.

(3) At any time when the equipment is required by the provisions of paragraph 3 of this Schedule to be kept working for the purposes of such tests,

power shall be supplied thereto at the voltage at which such equipment is intended to be operated.

TABLE

| Nature of Test  | Class of Equipment |
|---|--------------------|
| (1) Vibration test  | B X                |
| (2) Bump test   | B X                |
| (3) Dry heat test   | B X                |
| (4) Damp heat test  | B X                |
| (5) Low temperature test  | B X                |
| (6) Rain test   | X                  |
| (7) Immersion test  | X                  |
| (8) Corrosion test Salt water   | B X                |
| (9) Corrosion test Ac'd fumes (if a battery is included in the equipment) | B X                |
| (10) Mould growth test  | X                  |

(3) The tests referred to in paragraph 2 of this Schedule shall be conducted respectively as follows:—

- (1) *Vibration test.*—The equipment, complete with its chassis covers and shock absorbers (if any) shall in its normal operating position be clamped to a vibration table. The table shall be vibrated at all frequencies, between 0 and 12½ cycles per second at an amplitude of plus or minus 0.16 cm. during which period the equipment shall be kept working continuously. The table shall be so vibrated for three periods each of which shall be of eight minutes duration. Throughout each such period the direction of the vibrations shall be perpendicular to the direction of the vibrations during the other two periods.
- (2) *Bump test.*—The equipment shall be subjected to not less than 500 bumps at a constant rate of between one and four bumps per second with a free drop of at least 2.5 cm.
- (3) *Dry heat test.*—(a) Class B equipment shall be placed in a chamber which is maintained for a period of two hours at a constant temperature of 55° C. within a tolerance of plus or minus 1° C. during which period the equipment shall be kept working continuously.
- (b) Class X equipment shall be placed in a chamber which is maintained for a period of ten hours at a constant temperature of 70° C. within a tolerance of plus or minus 1° C., during which period the equipment shall not be worked or tested. The said chamber shall then be cooled to a constant temperature of 55° C. within a tolerance of plus or minus 1° C. and the equipment shall be kept working continuously at that temperature for a period of two hours.

(4) *Damp heat test.*—The equipment shall be prepared for the damp heat test in the following manner:—

- (a) The equipment shall be placed in a chamber which within a period not exceeding two hours shall be heated from room temperature to 40° C., and shall be brought to a relative humidity of not less than 95 per cent.
- (b) The chamber shall be kept at a temperature of 40° C. within a tolerance of plus or minus 1° C. for a period of 12 hours, and at a relative humidity of not less than 95 per cent.
- (c) At the beginning of the last 60 minutes of such period, all accessible surfaces and components shall be wiped dry and any fans or drying lamps provided in the equipment shall be switched on.
- (d) After the fans or drying lamps have been in operation for 30 minutes and while the temperature of the chamber is still 40° C. subject to the aforesaid tolerance, the equipment shall be tested.

(e) After the equipment has been tested, the temperature of the chamber shall, in preparation for the low temperature test, be allowed to fall below 25°C., the equipment remaining in the chamber.

(5) *Low temperature test.*—(a) Class B equipment shall be exposed to a temperature of minus 15°C. at normal atmospheric pressure for a period of not less than twelve hours.

(b) Class X equipment shall be exposed to a temperature of minus 25° C. at normal atmospheric pressure for a period of not less than twelve hours.

(6) *Rain test.*—The equipment shall be placed in a chamber fitted with eight shower heads, the discharge end of each of which shall consist of a flat, non-rustable metal plate, 0.16 cm. thick, having thirty-six holes each of 0.1 cm. diameter evenly spaced in concentric circles in the following manner:—

16 holes on the periphery of a circle of 5.1 cm. diameter.

8 holes on the periphery of a circle of 3.8 cm. diameter.

8 holes on the periphery of a circle of 2.5 cm. diameter.

4 holes on the periphery of a circle of 1.3 cm. diameter.

The said shower heads shall be arranged at a distance of not less than 50 cm. and not more than 80 cm. from the equipment in such a manner that spray from four of such shower heads is directed downwards at a angle of 45° at each of the four uppermost corners of the equipment, and the spray from the other four shower heads is directed horizontally at the centre of each area of the four sides of the equipment. Fresh water at room temperature and at a static pressure in accordance with the following table shall be sprayed on the equipment from the aforesaid shower heads for a period of one hour with the equipment in the position in which it is normally operated:—

|   | Minimum pressure<br>(pounds per square inch) | Maximum pressure<br>(pounds per square inch) |
|---|--|--|
| If the equipment is subjected to the immersion test     | 15   | 25   |
| If the equipment is not subjected to the immersion test | 45   | 55   |

Throughout the test the equipment shall be rotated at between 12 and 20 revolutions per minute about a vertical axis passing through the centre of the equipment.

(7) *Immersion test.*—The equipment in the condition in which it will normally be kept on board ship shall be immersed in water the surface of which is at least 10 cm. above the highest point of the equipment, and shall remain for a period of one hour. Upon its removal from the water the equipment shall be drained of water.

(8) *Corrosion test (Salt Water).*—The equipment shall be placed in a chamber fitted with apparatus capable of spraying in the form of a fine mist either natural sea water, or tap water containing the following salts in solution:—

|                              | per cent. |
|------------------------------|-----------|
| Sodium Chloride . . . . .    | 2.7       |
| Magnesium Chloride. . . . .  | 0.6       |
| Calcium Chloride . . . . .   | 0.1       |
| Potassium Chloride . . . . . | 0.07      |

The quantity of each salt shall be subject to a tolerance of plus or minus 10 per cent. Such spraying apparatus shall be such that the products of corrosion cannot mix with the sea water or solution contained in the spray reservoir. The equipment shall be sprayed simultaneously on all its external surfaces with the sea water or solution for a period of one hour and shall be kept working continuously for the last thirty minutes thereof. The equipment shall immediately thereafter be stored for a period of seven days at a temperature of 40°C. within a tolerance of plus or minus 1°C. at a relative humidity of not less than 60 per cent. and not more than 80 per cent. The equipment shall be sprayed and stored as aforesaid on four separate occasions.

(9) *Corrosion test (Acid Fumes).*—Any battery included in the equipment shall be fully charged and shall then be fitted into the equipment. If the arrangements are such that the battery can be charged without being removed from the equipment, the battery shall continue to be charged at the maximum rate appropriate to it for a period of twenty-four hours. The equipment shall immediately thereafter be stored for a period of four weeks at a temperature of 40°C. within a tolerance of plus or minus 1°C. at a relative humidity of not less than 60 per cent. and not more than 80 per cent.

(10) *Mould Growth Test.*—The equipment shall be inoculated by spraying with an aqueous suspension of mould spores containing all the cultures named in column A or all the cultures named in column B of the following table:—

| A  | B                                   |
|--|-------------------------------------|
| <i>Aspergillus niger</i> . . . . .           | <i>Aspergillus niger</i> .          |
| <i>Aspergillus amstelodami</i> . . . . .     | <i>Aspergillus amstelodami</i> .    |
| <i>Paecilomyces varioti</i> . . . . .        | <i>Aspergillus versicolor</i> .     |
| <i>Stachybotrys atra</i> . . . . .           | <i>Stachybotrys atra</i> .          |
| <i>Penicillium brevi-compactum</i> . . . . . | <i>Penicillium brevicompactum</i> . |
| <i>Penicillium cyclopium</i> . . . . .       | <i>Cladosporium bherbasum</i> .     |
| <i>Chaetomium globosum</i> .                 |                                     |

Immediately after it has been so sprayed the equipment shall be placed in a chamber, the temperature of which shall be maintained at any fixed value within the range 31°C. to 33°C. inclusive and controlled within a tolerance of plus or minus 1°C. at a relative humidity of not less than 95 per cent. The equipment shall remain in the said chamber for a period of twenty-eight days.

#### THE THIRD SCHEDULE

[See Rule 16(c)]

#### CERTIFICATE OF CALIBRATION OF DIRECTION-FINDER

We, the undersigned, hereby certify that we have this day

(a) calibrated in accordance with the Indian Merchant Shipping (Direction-Finders) Rules, 1956, the direction-finder installed in the S. S.  
..... IN S.S. V

(b) handed to the Master of that Ship tables of calibration corrections.

(c) adjusted the said direction-finder so that the readings taken thereby, when corrected with such tables differed from the correct bearings by no more than plus or minus two degrees.

We hereby further certify that the Master of the said ship has been furnished with a list or diagram indicating the conditions and position, at the time of such calibration, of the aerials and of all moveable structures on board the ship which might affect the accuracy of the direction-finder.

.....Radio Observer  
.....Visual Observer.  
.....Date.

[See rule 16 (d)]

RECORD OF CHECK-BEARINGS TAKEN BY MEANS OF THE DIRECTION-FINDER

THE GA OF INDIA, MAY 19, 1956 757

## THE FIFTH SCHEDULE

[See rule 18]

INDIAN MERCHANT SHIPPING ACT, 1923 (XXI OF 1926)  
 INDIAN MERCHANT SHIPPING (RADIO) RULES AND (DIRECTION-FINDERS)  
 RULES, 1956.

**RADIO INSPECTION'S NOTICE**  
**ON**  
**RADIO TELEGRAPHY INSTALLATIONS**  
 (Rules not Complied with)

*Radio Inspectors Notice to Owners*

The radio Inspector should at the same time be careful to send to the Chief Officer of Customs a copy of this notice.

| Name of Ship | Builder's Name and Number | Port of Registry or intended Port of Registry. | Official Number (if any). |
|--------------|---------------------------|--|---------------------------|
|--------------|---------------------------|--|---------------------------|

Sir,  
 An inspection of the Radio Telegraphy Installation of the above-named vessel having been made this day I have to inform you that before the necessary certificate can be issued the requirements named on the other side thereof must be complied with.

On hearing from you that the alterations or additions required have been made, the vessel will again be visited with a view to the inspection being completed.

\*The Chief Officer of Customs at ..... ha  
 received notice not to allow the vessel to proceed to sea.

To..... Date.....  
 ..... this..... day of..... 19.....

Radio Inspector  
 and Principal Officer, Mercantile Marine  
 Department.  
 .....District.

*Owner's Report to Radio Inspector*

When the requirements notified have been carried out, the Owner or his agent or the Master should fill in the following form and send it to the Radio Inspector. To prevent delay it is necessary that the Radio Inspector should have at least 48 hours' notice of the time when vessel will again be ready for inspection.

SIR,

The requirements have been effectually fulfilled. The vessel will be again ready for inspection on the date and the place named below.

Date for Inspection

Place at which the ship will be lying.

To the Principal Officer,  
Mercantile Marine Department.

Dated at.....

this.....day of.....19 ..

At.....

Owner's Agent or Master.

Name of Ship.....

Official Number.....

Port of Registry.....

Builder's name and Number .....

Date.....

*Requirements.*

[No. 36-MA(12)/55.]

S. K. GHOSH, Dy. Secy.

## MINISTRY OF COMMUNICATIONS

(Posts and Telegraphs)

New Delhi, the 9th May 1956

**S.R.O. 1160.**—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Central Government hereby directs that the following further amendment shall be made in the Indian Telegraph Rules, 1951, namely:—

In sub-rule (1) of rule 451 of the said Rules, for the first sentence, the following sentence shall be substituted, namely:—

- (1) Subscribers other than those who have connections rented by Government, may when they first make use of the telephone service, be called upon by such officer as may be authorised in this behalf by the Director-General to make a deposit of (i) Rs. 100 against trunk service in the case of connections provided on a casual or monthly basis at hill stations and Rs. 50 in the case of such connections in other stations and Rs. 10 for trunk service in the case of other connections at all places, and (ii) Rs. 20 against message rate service for all connections at all places "

[No. TR.2-23/52.]

H. C. SHARMA, Under Secy.

## MINISTRY OF REHABILITATION

New Delhi the 30th April 1956

**S.R.O. 1161**—In exercise of the powers conferred by section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby makes the following further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, namely :—

in the said Rules

(1) For Rule 19 the following rules shall be substituted namely :—

19. *Special provision for payment of compensation to joint families.*—(1) Where a claim relates to a property left by the members of an undivided Hindu family in West Pakistan (hereinafter referred to as the joint family) compensation shall be computed in the manner hereinafter provided in this rule.

(2) Where on the 26th September, 1955 (hereinafter referred to as the relevant date), the joint family consisted of :—

(a) two or three members entitled to claim partition, the compensation payable to such family shall be computed by dividing the verified claim into two equal shares and calculating the compensation separately on each such share :

(b) four or more members entitled to claim partition, the compensation payable to such family shall be computed by dividing the verified claim into three equal shares and calculating the compensation separately on each such share.

(3) For the purposes of calculating the number of members of a joint family under sub-rule (2)

(a) the following persons shall be excluded, namely :—

(i) except as otherwise provided in clause (c), a person who on the relevant date was less than 18 years of age ;

(ii) a person who on the relevant date was a lineal descendant in the male line of another living member of the family entitled to claim partition ;

(b) a person who on the relevant date was a widow of a deceased member of the joint family shall be included ;

(c) where a deceased member of the joint family has left sons all of whom were on the relevant date less than 18 years of age, such sons shall together be reckoned as one member of the family.

*Explanation.*—For the purposes of this rule, the question whether a family is joint or separate shall be determined with reference to the status of the family on the 14th day of August, 1947 and every member of a joint family shall be deemed to be joint notwithstanding that he had separated from the family after that date.



19A. *Maximum amount of compensation payable to a joint family in cash or otherwise.*—Notwithstanding anything contained in the foregoing rules the maximum limit of two lakhs of rupees specified in Appendix VIII, and the maximum limit of eight thousand rupees in respect of cash compensation specified in sub-rule (2) of rule 17, shall apply in respect of each of the shares into which the claim has been divided in pursuance of rule 19.

19B. *Compensation ordinarily payable to Karta of joint family.*—Compensation in the case of a joint family shall ordinarily be payable to the Karta of the family, but where the members of the joint family do not agree that the compensation payable to the family may be paid to the Karta of the family, such compensation shall be paid to each member of the family in accordance with his share specified in the assessment order, or, where the share is not so specified, in accordance with such share as the Settlement Commissioner may, having regard to the principles of Hindu law, determine.

(2) For Appendix VII the following Appendix shall be substituted, namely :—

#### APPENDIX VII

##### *Abstract of Particulars, Calculations and Pay Order*

(RULE 15)

Office of the Regional Settlement Commissioner,

|                             |  |           |
|-----------------------------|--|-----------|
| Claim-Compensation Bill No. | dated                                    | 195 .     |
| Registration No.            | Registration No. in<br>Central office :— | R.S.C.No. |

1. Name of Applicant.

Parentage etc.

Permanent address

2. Particulars of all Claims, for which cash compensation admissible.

| (a) Index No. of<br>the claims | Nature of property. resi-<br>dential properties, shops,<br>Urban plots, Industrial<br>undertaking etc. | Assessed value of the claims |   | Remark |
|--------------------------------|--|------------------------------|---|--------|
|                                |  | Total value                  | Applicant's<br>share in<br>Jointly family |        |

Total value ( )

|                                      |                                      |             |
|--------------------------------------|--------------------------------------|-------------|
| (b) For Agricultural Land & Gardens. | (i) Assessed value.                  | Std. Acres. |
|                                      | (ii) Area after applying Punjab cut. | Std. Acres. |
|                                      | (iii) Less Allotment held.           | Std. Acres. |
|                                      | (iv) Net Admissible.                 | Std. Acres. |

(c) Remarks regarding application  
of Rule, 19

## 3. Calculations of Compensation including Rehabilitation Grant.

|  | Compensation | Reh. Grant                                    | Total | If joint family, applicant's share  |            |       |
|--|--------------|---|-------|-------------------------------------|------------|-------|
|  |              |   |       | Compensation                        | Reh. Grant | Total |
| Compensation at final scale—   |              |   |       |                                     |            |       |
| (a) For total assessed value of property claim(s)  |              |   |       |                                     |            |       |
| (b) Cash where admissible against Agri. Claim item 2(b) (iv) @ 450/- or 350/- per Std. Acre.                     |              |   |       |                                     |            |       |
| TOTAL  |              |   |       |                                     |            |       |
| Deduct already paid or adjusted <i>vide</i> R.S.C. Bill No. and included in the covering statement No. ....dated |              |   |       |                                     |            |       |
| Add  |              |   |       |                                     |            |       |
| Deduct fractional difference   |              |   |       |                                     |            |       |
| Gross amount now due   |              |   |       |                                     |            |       |
|  | Amount       | Authority to which recovery is to be credited |       | Head of account to which adjustable |            |       |
|  | Rs.          |   |       |                                     |            |       |
| I. RECOVERIES to be made   |              |   |       |                                     |            |       |
| (a) Amount outstanding in respect of Loan account No.  |              |   |       |                                     |            |       |
| (b) Unpaid instalments for houses and plots purchased on instalment basis.                                       |              |   |       |                                     |            |       |
| (c) Arrears of rent upto 195 . for Govt built property Evacuee.  |              |   |       |                                     |            |       |
| (d) For Debt Adjustment Tribunal decrease or mortgage charge on Rs.....in favour of                              |              |   |       |                                     |            |       |
| (e) Any other dues payable to Govt.  |              |   |       |                                     |            |       |
| (f) Value of Govt. built (including Evacuee Mud Hut) Property transferred  |              |   |       |                                     |            |       |
| TOTAL DEDUCTIONS   |              |   |       |                                     |            |       |

Details of Property or deductions *vide* items 4(d) to (f).

- XLVI.—Misc. Receipts on account of Displaced Persons—Receipts forming part of compensation pool—Receipts on account of acquired Evacuee Property.

## Section S Deposits and Advances Part IV—Suspense—

|  |          |
|--|----------|
| Suspense Accounts transactions adjustable with ..... |          |
| Properties of Compensation Pool .....                | Rs. .... |
| Loans of Compensation Pool .....                     | Rs. .... |
| Other Items.....                                     | Rs. .... |

## Section S-Deposit and Advances—

## Part IV—Suspense—Suspense Account.

|  |          |
|--|----------|
| Transactions adjustable with Properties of Compensation Pool. .... | Rs. .... |
| Loans of Compensation Pool .....                                   | Rs. .... |
| Other Items.....   | Rs. .... |

## Section S. Deposits and Advances Part II Deposits not bearing interest C—

## Other Deposit Accounts Department and Judicial Deposits—

## Civil Deposits—Deposits under Displaced Persons Debt Adjustment

Act, 1951..... Rs. ....

## Section S—Deposit and Advances Part IV—Suspense—

|   |          |
|---|----------|
| Suspense Accounts Transactions adjustable with..... | Rs. .... |
| TOTAL DEDUCTIONS                                    | Rs. .... |
| NET AMOUNT PAID                                     | Rs. .... |

[No. F. 51(25)-SI/55.]

I. N. CHIB, Dy. Secy.

*New Delhi, the 8th May 1956*

**S.R.O. 1162.**—In exercise of the powers conferred by section 1 of section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints, in consultation with the Custodian General of Evacuee Property, for the State of Kutch, Shri Dwarka Das Suri, Regional Settlement Commissioner, for the States of Saurashtra and Kutch, as Custodian of Evacuee Property, for the purpose of discharging the duties imposed by or under the said Act, with effect from the date he assumed charge as Regional Settlement Commissioner, Kutch.

[No. XVI-23(1)/56-Prop-II.]

*New Delhi, the 10th May, 1956*

**S.R.O. 1163.**—In exercise of the powers conferred by sub-section 1 of section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints, in consultation with the Custodian General of Evacuee Property, for the State of Bhopal, Shri G. B. K. Hooja, I.A.S., Regional Settlement Commissioner for the States of Madhya Bharat and Bhopal, as Custodian of Evacuee Property for the purpose of discharging the duties imposed by or under the said Act, with effect from the 14th April, 1956.

[No. XVI-17(1)/56-Prop.II.]

J. J. KARAM, Under Secy.

*New Delhi, the 15th May 1956*

**S.R.O. 1164.**—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Servashri Sardari Lal Jain and M. R. Bhagat as Settlement Officers, for the purpose of performing the functions assigned to such officers by or under the said Act, with effect from the date they took charge of their office.

[No. 6/5/56-SII(II).]

T. R. CHOPRA, Under Secy.

## (Office of the Chief Settlement Commissioner)

*New Delhi, the 11th May 1956*

**S.R.O. 1165.**—In exercise of the powers conferred on me by Sub-section (2) of section 10 of the Displaced Persons (Claims) Supplementary Act, 1954 (XII of 1954) read with rule 99 of the rules framed under section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), I delegate to Shri Y. L. Taneja, Settlement Commissioner, with effect from the 8th May, 1956 the following powers of the Chief Settlement Commissioner, namely:—

1. Power to allocate Rehabilitation Grant Applications to the Settlement Officers by general or special order under sub-Section (1) of Section 4 of the said Act.
2. Power to require a Settlement Officer to appoint one or more persons to advise him in any proceeding pending before him, under sub-section (2) of Section 6 of the said Act.
3. Power to transfer any Rehabilitation Grant Application pending before a Settlement Officer to another Settlement Officer under Section 7 of the said Act.
4. Power to call for the record of any case decided by the Settlement Officer and pass order in the case under provision to sub-Section (3) of Section 4 of the said Act.

[No. 22(5) Comp.II/56.]

L. J. JOHNSON, Jt. Secy.

**MINISTRY OF LABOUR***New Delhi, the 7th May 1956*

**S.R.O. 1166.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following four awards of the Industrial Tribunal, Delhi, in the matter of applications under section 33A of the said Act from certain workmen of the Punjab National Bank Limited, Delhi.

**BEFORE SHRI RAM KANWAR, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI**

REFERENCE NO. 100(98) DATED 2ND SEPTEMBER 1953

In the matter of an Industrial Dispute

between

The employers in relation to the Punjab National Bank Ltd. and its workmen.  
APPLICATION UNDER SECTION 33-A OF THE INDUSTRIAL DISPUTES ACT

Shri Ram Nath *Versus* Punjab National Bank Ltd.

PRESENT:—Petitioner with Shri H. L. Puri, General Secretary of the Punjab National Bank Employees' Union.

Shri M. K. Jain for the Bank.

**AWARD**

Shri Ram Nath petitioner was working in the Bank as a polisher on daily wages previously at Rs. 3/- and later at Rs. 3/8/- per diem off and on since 1951 and was discharged after service of one month's notice on 13-10-1955.

(2) On account of the pendency of proceedings before this Tribunal in respect of an Industrial Dispute between the Punjab National Bank Ltd. and its workmen, the present application was made by Shri Ram Nath on 18-1-1956 under Section 33-A of the Industrial Disputes Act with a prayer for his re-instatement on the allegation that the order of termination of his service was against the provisions of Section 33 of the Industrial Disputes Act and was consequently in-operative.

(3) His allegation are (a) that he has been in the service of the bank since 1951, (b) that he was being paid his monthly salary at the end of every month, but formally it was being shown as being charged at Rs. 3/8/- per day, (c) that despite his repeated requests, his salary was never adjusted in compliance with any of the Awards and Enactments, (d) that his work and conduct was throughout satisfactory, and (e) that the bank's management asked him to take up work on

contract basis with a view to take him out of the purview of the banking award and coerced him to sign such an agreement against the provisions of law

(4) The Bank opposed the application stating that there was no contravention of Section 33 of the Industrial Disputes Act and that the petitioner was only a casual worker on daily wages basis. It was also contended on its behalf that the petitioner had himself made a representation Exh WW1/X/1 on 28-2-55 offering to work on contract basis on certain conditions one of which was that he himself would do the work or with prior approval of the bank put another workman on his behalf. It was stated on behalf of the Bank that notice of termination of service was served on the petitioner in terms of Delhi Shops and Establishment Act.

(5) In the application it is stated by the petitioner that he was coerced to sign the agreement relating to his working on contract basis, but as a witness he only stated that he had no knowledge of the contents of that document but admits his signatures on Exh WW1/X/1. It is strange that if the document was obtained by coercion why he kept quiet for more than 10 months. It is, therefore, apparent that the document was signed by him with full knowledge of its contents.

(6) The petitioner remained absent from work on several occasions—on one occasion for about one month and on another for about five months and did not get wages for these days. His wages were paid to him at the end of the month for the days he had actually worked. His attendance was noted in the register simply to work out his wages. Wages for Sundays were allowed to him after the Delhi Shops and Establishment Act came into force simply because the definition of 'employee' in that Act is very comprehensive. Notice of one month was also served upon him on account of that Act. He was not governed by the bank rules. His pay scale was never fixed. No letter of appointment was issued to him. He was not entitled to Provident Fund benefits. No overtime was ever allowed to him. He did not get any Dearness allowance, neither any bonus nor regular increments. That being so he was not a regular employee of the bank but was only a casual worker and consequently section 33 of the Act has no application to him because it presupposes discharge in case of workers whose continuity of service was assured or expected *vide* 1952 L.L.J. Vol II page 77 and 1954 L.L.J. Vol II page 612. In the latter case it was also held that in the case of casuals and substitutes no such continuity of service could be expected.

(7) Again it is significant that the petitioner cannot be considered a 'workman concerned' in the main dispute pending before this Tribunal. That dispute is 'the absorption of Bharat Bank Employees in the Punjab National Bank and their service conditions'. As the petitioner was doing and was also expected to do a particular kind of work, he will not be affected by the decision of that dispute in either way.

For the above reasons I have no hesitation in holding that the present application is incompetent. An award is, therefore, made rejecting it. I leave the parties to bear their own costs.

Let a copy of the Award be sent to the Labour Ministry of the Government of India for necessary action.

(Sd.) RAM KANWAR,  
Industrial Tribunal

DELHI;  
The 21st April, 1956.

BEFORE SHRI RAM KANWAR, CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL, DELHI

REFERENCE No L.R. 100 (98) DATED 2ND SEPTEMBER 1953

In the matter of an Industrial Dispute

between

The employers in relation to the Punjab National Bank Ltd and its workmen.

APPLICATION UNDER SECTION 33-A OF THE INDUSTRIAL DISPUTES ACT  
Shri Dukh Chhor *Versus* Punjab National Bank Limited

PRESENCE—Petitioner with Shri H. L. Puri, General Secretary of the Punjab National Bank Employees' Union

Shri M. K. Jain for the Bank

## AWARD

Shri Gajadhar, a peon in Chowri Bazar Branch of the Punjab National Bank Limited by application Exh. M/1 dated 16th May 1955 applied for privilege leave for one month from 15th June 1955 to 15th July 1955. At the instance of Shri Ram Piyare another peon of the bank, Shri Dukh Chhor present petitioner made application Exh. WW1/X/1 for appointment as peon on 13th June 1955 and Shri Baij Nath Arora, the then Manager of the branch made an order on it the same day that he might be appointed on daily wages of Rs. 2/- on trial for a week, but no letter of appointment was issued to him. No fresh order was made after one week and he continued working during the leave of Gajadhar who by Exh. M/2 got the same extended upto 6th August 1955. On 22nd July 1955 Muni Lal peon successfully made application Exh. M/3 for grant of leave from 8th August 1955 to 13th August 1955 and the petitioner was retained to work in his place. On 18th July 1955 Ram Piyare peon made application Exh. M/4 for grant of leave with effect from 16th August 1955 and it was ordered that Dukh Chhor might be retained to work in his place. 7th, 14th and 15th August were holidays and Dukh Chhor was paid his usual wages of Rs. 2 per diem for these days.

(2) On 1st August 1955, Ram Singh peon made application Exh. M/5 for grant of leave for one month with effect from 1st September. That leave was granted and it was ordered that Dukh Chhor would work in his leave arrangement while another man was appointed to work in the remaining leave period of Ram Piyare. Subsequently Ram Singh by application Exh. M/6 got his leave extended upto 22nd October 1955 and Dukh Chhor was allowed to continue working in his place. On 5th October 1955 Dewan Chand, Peon made application Exh. M/7 for grant of 5 days leave with effect from 28th October, 1955, and subsequently got it extended by application Exh. M/8 upto 5th November, 1955. 23rd to 27th October, 1955 were Dusehra holidays and Dukh Chhor was paid his usual wages for these days and was allowed to work upto 5th November.

On 4th November 1955 Mata Badal Jamadar peon made application Exh. M/9 for grant of 15 days leave with effect from 5th November and subsequently get the same extended upto 24th December 1955 by applications Exh. M/10 and M/11. Dukh Chhor was allowed to work in that leave arrangement.

(3) According to para. 522(4) of Sastri Award the services of an employee other than a permanent employee or probationer may be terminated and he may leave service after 14 days' notice. If such an employee leaves service without giving such notice he shall be liable for a week's pay. Shri R. N. Kumar, Manager of the branch referred the matter to the Head Office and suggested the service of 15 days notice on Dukh Chhor but the Head Office directed service of one month notice or payment of one month wages. Notice Exh. M/12 dated 29th December, 1955 was, therefore, served on Dukh Chhor. It reads thus:—"You were appointed on 15th June 1955 to work as a peon in temporary vacancies in leave arrangements on daily wages of Rs. 2 per day. As your services are no longer required, you are hereby relieved of your duties to-day on 29th December 1955 after-noon. One month wages are being paid to you in lieu of the notice required in this connection."

(4) During the pendency of adjudication proceedings in this Tribunal relating to an Industrial Dispute between the Punjab National Bank Ltd. and its employees, Dukh Chhor petitioner made the present application on 18th January 1956 under Section 33-A stating that the action of the bank in terminating his services without getting the written permission of this Tribunal was a breach of Section 33 of the Industrial Disputes Act and that consequently its order of termination of his services was illegal and in-operative. The relief claimed by him is his reinstatement and confirmation with all back wages.

(5) The bank opposes the application contending (a) that there was no contravention of Section 33 of the Industrial Disputes Act and (b) that the applicant was appointed as a peon temporarily in leave arrangement on daily wages of Rs. 2 per diem. The Bank also denied the request alleged to have been made by the petitioner for his confirmation in bank's service in the terms of the Award. It is also contended that since the petitioner was only a temporary employee in the leave arrangement of existing staff, the question of his confirmation did not arise at all.

(6) A preliminary objection was also raised by the bank that the petitioner is not a 'workman concerned' contemplated by Section 33 (B) of the Industrial

Disputes Act, in the main dispute during the pendency of which in this tribunal, the present application has been filed.

(7) As regards the preliminary objection, the point at issue in the main dispute is 'the absorption of Bharat Bank Employees in the service of the Punjab National Bank Ltd. and their service conditions'. Now in case it were decided that the Bharat Bank Employees should have been absorbed in the Punjab National Bank Ltd. and if the petitioner were held to be an employee of the Bank he would be concerned in the question of seniority with respect to the Bharat Bank employees. That being so the petitioner is obviously 'a workman concerned' in that dispute. Consequently the preliminary objection raised by the Bank is disallowed.

(8) It is no doubt correct that no written order was given to the petitioner specifying the nature of his appointment, but it is apparent that he was employed in a leave vacancy of a short period on a salary of Rs. 2 per diem, besides which he did not claim nor was he allowed other benefits of the bank service. The petitioner's allegation that he was not informed by Shri Ram Piyare that the vacancy was only a leave vacancy is obviously incorrect specially when Shri Ram Piyare has not even been examined in support of it.

(9) The contention on behalf of the petitioner that he should have been confirmed after 6 months' service is of no weight simply because he was not a probationer in a permanent vacancy. He was an employee only in a temporary vacancy in the beginning only for 8 days on trial and later on that employment was extended off and on due to other temporary arrangement. It is significant that the petitioner never applied for being made permanent or for the wages or other benefits ordinarily available to a probationer or a regular employee of the Bank.

(10) One month's salary was paid to the petitioner simply in accordance with the provisions of Delhi Shops and Establishment Act, because the definition of 'employee' in that Act is very comprehensive and does not make any distinction between permanent and temporary employee.

In *Eastern Chemical Company (India) Versus Ganga Ram & others* (1953 L.L.J. Vol. II page 882) it was held by the Labour Appellate Tribunal of India as follows:—

"It is clear that where temporary employees are entertained for the specific purpose or for a specific period, there employment comes to an end on the conclusion of that purpose or of the period without any action on the part of the employer and as such no permission under Section 33 is necessary." Again in 1954 L.L.J. Vol. II page 612 it was held that Section 33 pre-supposes discharge in case of workmen whose continuity of service was assured or expected. In the case of casuals and substitutes no such continuity of service could be expected. Similarly it was held by the Labour Appellate Tribunal in case reported as 1951 L.L.J. Vol. II page 478 that when a worker was appointed to a purely temporary job for a temporary period, the fact that his employment was prolonged after that period will not confer the benefit of permanency on the worker.

For the reasons given above I am of the opinion that the bank was within its rights to terminate the services of the petitioner. The result, therefore, is that the petition fails and an award is made rejecting the same. Parties shall bear their own costs.

Let a copy of the Award be sent to the Labour Ministry of the Central Government for necessary action.

DELHI;

The 17th April 1956.

(Sd.) RAM KANWAR,  
Industrial Tribunal.



## BEFORE SHRI RAM KANWAR, CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL, DELHI

REFERENCE No. L.R.100(98), DATED 2ND SEPTEMBER 1953

In the matter of an Industrial Dispute between the employers in relation to the Punjab National Bank Ltd. and its Workmen.

APPLICATION UNDER SECTION 33-A OF THE INDUSTRIAL DISPUTES ACT.

Shri Shanti Sagar Jain Vs. The Punjab National Bank Ltd.

PRESENT:—Petitioner with Shri H. L. Puri, General Secretary of the Punjab National Bank Employees' Union.

Shri M. K. Jain for the Bank.

## AWARD

On 26th November, 1954 Shri Shanti Sagar Jain, the present petitioner made an application to the Secretary (Staff) of the Punjab National Bank Ltd. for the post of a godown keeper, stating that he had come to know that there were certain vacancies of such posts. He had passed the Bachelor of Commerce Examination in 1954 and was placed in the III Division while he had passed the High School Examination in 1948 and was placed in the II Division. According to the bank rules 1st Class Matrics or 2nd Class Graduates are ordinarily taken in its service.

2. After his type-writing examination it was noted on his application by the Assistant Secretary (Staff) of the Bank 'to be considered if better people not available' and a note 'may be posted as temporary Godown Keeper where there is need' was sent to the District Manager, 'B' Circle.

3. On 30th October 1954, the Manager of Branch Office, Gurgaon, sent letter Exh. M/2 to the District Manager stating that a separate godown keeper was essential for the branch and requesting for the sanction of the post by an early date. The District Manager thereupon called a regular proposal for increase in staff strength *vide* Exh. M/2B. The Branch Manager thereupon sent the necessary proposal Exh. M/3. Thereupon a note was put up to the Assistant Secretary (Staff) to the effect that Shri Shanti Sagar (Petitioner) might be sent temporarily for 3 months and that the question of strength of the staff in Gurgaon branch be considered after 3 months. The proposal was approved by the Assistant Secretary (Staff) on 1st December, 1954, *vide* Exh. M3/C. The result was that letter Exh. W/1, dated 6th/8th December, 1954 was sent to the petitioner stating that he had been selected into the service of the Bank as a temporary employee in the cadre of a godown keeper on the conditions given therein, one of which was that his services were terminable at any time without notice and the other was that the bank would have the right to transfer him to any office of the bank or to send him to any other place where the business of the bank might need his services.

4. In reply to the Branch Manager's letter, dated 12th January, 1955 for change of designation of Shri Jain, the District Manager sent letter Exh. W/3 on 25th January, 1955 stating that the matter would be taken up when the question of his permanent posting would be decided.

5. On 21st April, 1955 the Branch Manager sent letter Exh. M/4 to the District Manager stating that as the work in the branch was on the decrease, Shri Shanti Sagar could be spared for the time being.

6. Some time before that the Branch Manager of Chaura Bazar, Ludhiana, had written letter Exh. M/5, dated 4th March, 1955 to the District Manager, requesting for the appointment of an efficient Clerk-cum-godown keeper in Miller ganj, Pay Office. The District Manager thereupon put up note Exh. M/6 on 6th April, 1955 suggesting the transfer of Shri Parkash Chand Nayyar, clerk-cum-godown keeper at Branch Office Jamnagar to Pay Office Millerganj, Ludhiana and the appointment of some person in place of Shri Nayyar. Meanwhile Shri Shanti Sagar Jain was transferred from Gurgaon to Ludhiana Millerganj Pay Office and the Accountant Incharge of that office was directed by letter Exh. M/8, dated 31st May, 1955 to relieve Shri Shanti Sagar Jain on the arrival of Shri Nayyar and to direct him to report for duty to Manager, B/o Ambala Cantonment where his services were required urgently.

7. On the representation of the Accountant Incharge Pay Office, Millerganj—Exh. M/9 dated 8th June 1955—that as two of the clerks of that office were on leave, Shri Shanti Sagar might be allowed to work with him for some time

more, the District Manager by his order Exh. M/9A dated 13th June 1955 allowed the Accountant Incharge to retain Shri Shanti Sagar for some time more because there was then no immediate need of a clerk at Ambala.

8. Even after Shri Nayyar's joining the Pay Office, Shri Shanti Sagar *vide* Exh. M/11 was allowed to continue working there upto 13th August 1955 because the Accountant Incharge by his letter Exh. M/10 dated 25th July 1955 had represented that Shri Nayyar who had not worked as a godown keeper wanted some training for that work. It was proposed to the Assistant Secretary by the Office that after that date Shanti Sagar might be transferred to Nangal *vide* Exh. M/10A.

9. By his letter Exh. M/12 dated 9th August 1955 (9th September 1955 given therein is obviously wrong) the Assistant Secretary (Staff) directed the Accountant Incharge to relieve Shri Shanti Sagar Jain from bank's service on 13th August 1955 afternoon positively as his services were no longer required by the Bank. It appears that soon after arrangement had been made for the post at Nangal. Shri Shanti Sagar was actually relieved on 13th August 1955 *vide* Exh. W/6.

10. In pursuance of order Exh. W/7 dated 18th August 1955 on his application Exh. WW1/XI dated 18th August 1955 Shri Shanti Sagar was again appointed as a clerk-cum-godown keeper at Millerganj Pay Office, Ludhiana on a basic salary of Rs. 77 plus Rs. 10 as Graduate Allowance, plus Rs. 30 as dearness allowance on the clear understanding that the appointment was on a purely temporary basis for a period of one month which might be extended by the bank in writing from time to time. It was also stated in the order that his services would be liable to be terminated at any time during the above period without any notice. The petitioner accepted the above conditions in writing. This order was made after obtaining the sanction from Head Office on telephone. On the same day the Accountant Incharge made report Exh. W/8 to the Assistant Secretary (Staff), Head Office, stating that the petitioner had been in the service of the bank since 13th December 1954 and had been performing his duties quite satisfactorily. It was stated that he was a Commerce Graduate, had been taking keen interest in picking up his work and that during the short period he had picked up so thoroughly that he was working on Current Ledgers in leave arrangement. He also made a recommendation that his service might be retained as he would prove a useful hand in the long run.

11. On 31/2-9-1955 letter Exh. W/10 was sent by the Staff Department to Pay Office Millerganj stating that the latter's action in appointing the petitioner was confirmed, but he was advised to forward application of suitable hands duly qualified without delay. The petitioner's service was extended from month to month *vide* Exh. WW1/X2, Exh. WW1/X3 and Exh. WW1/X4 till it was terminated on 6th January 1956.

12. On account of the pendency of proceedings before this Tribunal in respect of an industrial dispute between the Bank and its workmen, the petitioner made this application on 13th January 1956 under Section 33A for his reinstatement on the allegations that his discharge was illegal and inoperative because (a) he was verbally given an assurance that he would be ultimately absorbed in the Bank's service (b) instated of confirming him with effect from 13th June 1955 in terms of the Award, the bank adopted a scheme to circumvent the provision of the Award, which, it had already violated, took him back in its service on 18th August 1955 within 5 days of his wrongful discharge.

13. The bank opposed the application stating that no assurance was given to the petitioner that he would be absorbed in its service and that as the petitioner was only a temporary employee, there was no non-compliance of the provisions of the Award. It was also contended that he was not confirmed because according to its rules he was not eligible for its permanent service.

14. There is no evidence on the record in support of the petitioner's allegation that an assurance was given to him that he would be absorbed in the permanent service of the Bank. He has not even stated which competent officer of the Bank had given that assurance. There is no mention of any such assurance in his representation Exh. W/11, dated 13th December 1955 wherein he had made a specific request that the requisite minimum qualification for permanent service in the Bank be relaxed in his case as a very special case by exercise of the power referred to in Staff Department Circular No. 119 dated 22nd March 1955.

15. On behalf of the petitioner, my attention was invited to para. 495 of the Bank Award. First of all that para. applies only to probationers who are directed to be confirmed after 6 months probationary service; but the petitioner was definitely given to understand by letters of appointment given to him from time to time that his service was only temporary for a fixed period. Moreover according to para. 499, the continuous temporary service of a godown keeper should be one year before he becomes entitled to permanent service. In the petitioner's case his service was purely temporary for a fixed period and that too was terminated on 13th August 1955 before the passing of one year after his engagement. The subsequent service was purely from month to month and he clearly accepted it as such. It was held in 1952 L.L.J. Vol. II, page 77, that section 33 of the Industrial Disputes Act has no application to the petitioner's case because it presupposes discharge in case of workers whose continuity of service was assured or expected. Again in 1954 L.L.J. Vol. II page 612 it was held that in the case of casuals or substitutes no such continuity of service could be expected.

16. In view of the recommendation of the Accountant Incharge of Millerganj Pay Office, Ludhiana, the petitioner's case was probably a good case for the exercise of the discretion of the Management referred to in the above mentioned circular; but no relief can be granted for non-exercise of that discretion.

For the reasons given above, I am of the opinion that the present application must fail and I, therefore, make an Award accordingly.

The parties are directed to bear their own costs. Let a copy of the Award be sent to the Labour Ministry of the Government of India for necessary action.

DELHI,

The 23rd April 1956.

(Sd.) RAM KANWAR,

*Industrial Tribunal.*

BEFORE SHRI RAM KANWAR, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL DELHI

REFERENCE NO. 100 (98) DATED 2ND SEPTEMBER 1953

In the matter of an Industrial Dispute between  
The employers in relation to the Punjab National Bank Ltd. and its workmen.

APPLICATION UNDER SECTION 33-A OF THE INDUSTRIAL DISPUTES ACT

Shri Prem Chand *Versus* Punjab National Bank Ltd.

PRESENCE:—Petitioner with Shri H. L. Puri, General Secretary of the Punjab National Bank Employees' Union.

Shri M. K. Jain for the Bank.

### AWARD

Shri Prem Chand petitioner is a carpenter. Before the partition of the country in 1947, the petitioner worked as a carpenter in the Head Office of the Punjab National Bank Ltd. at Lahore for about 3 years on daily wages of Rs. 3/8/- per diem. After partition and the shifting of the Head Office of the Bank to Delhi, the petitioner worked in Delhi Office from 23rd March 1948 for the first 3 months at Rs. 4/- per day but later on on his representation that the carpenters in Delhi ordinarily get Rs. 5/- to Rs. 5/8/- per diem, his wage was also raised to Rs. 5/- per diem. In his letter Exh. WW1/X2 for the raising of his pay it had also been stated that in case that was not done, the letter might be treated as his resignation. His pay was paid to him on the expiry of the month at the above rate for the days he had actually worked with the Bank.

2. The petitioner's allegation that despite his repeated oral requests for the adjustment of his pay in terms of the Awards and Enactments is denied by the bank and there is no evidence on the record in support of the same.

3. His other allegation that the bank had asked him to sign a deed of contract by virtue of which it endeavoured to take him out of the purview of the Award and that he refused to sign such a deed, is also denied by the bank with the contention that the question of application of the Award did not at all arise because the Petitioner was only a casual worker.

In the absence of any evidence in support of it and the absence of any complaint about it to the workmen's Union of which he is a member the allegation is obviously incorrect.

4. The petitioner's services were terminated by the bank by the service of one month's notice on him on 13th October, 1955. Exh. WW1/X2 is that notice and it is stated therein that the Bank does not need your engagement any longer as there is no more work available which you may be required to do hereafter on the expiry of the notice period.

5. On account of the pendency of proceedings before this Tribunal in respect of an Industrial Dispute between the Punjab National Bank Ltd. and its workmen, the present application was made by Shri Prem Chand on 18th January, 1956 with a prayer for his re-instatement on the allegation that the order of termination of his service was against the provisions of law and was consequently in-operative.

6. The bank opposed the application on the grounds (a) that there was no contravention of Section 33 of the Industrial Disputes Act and (b) that the question of obtaining permission of the Tribunal did not arise as the petitioner was only a casual worker employed on daily wages.

It was also alleged by the bank that one month's notice of termination of service was only served in terms of 'Delhi Shops and Establishment Act'.

7. The first question for determination is whether the petitioner is a 'workman concerned' in the main dispute pending before this Tribunal. That dispute is 'the absorption of Bharat Bank Employees in the Punjab National Bank and their service conditions'. As the petitioner was doing and was also expected to do only a particular kind of work, he will not be affected by the decision of that dispute in either way.

8. Ordinary rules of the bank relating to its regular employees were not applicable to the petitioner. It is admitted by him that it was the question of his option whether or not he worked on holidays including Sundays. He did not work on all the working days. The extract Exh. MW1/1 of working days of the petitioner shows that in August 1953 he did not work on 9th, 10th, 16th, 17th, 21st, 23rd and 24th. Again in October he did not work from 1st to 4th and from 25th to 31st. His presence was noted in the attendance register simply to work out his wages at the end of the month. Wages for Sundays were allowed to him only after the Delhi Shops & Establishment Act came into force simply because the definition of 'employee' in that act is very comprehensive. Notice of one month was also served on him on account of that Act. It is significant that his pay scale was never fixed, no letter of appointment was given to him. He never applied for leave, he was not entitled to Provident Fund benefits, no overtime was ever allowed to him, he did not get any dearness allowance, neither any bonus or nor regular increment. That being so he was not a regular employee of bank but was only a casual worker, and consequently Section 33 of the Act has no application to him because it presupposes discharge in case of workers whose continuity of service was assured or expected vide 1952 L.L.J. Vol. II page 77 and 1954 L.L.J. Vol. II page 612. It was held in the later case that in the case of casuals and substitutes no such continuity of service could be expected.

For the above reasons I have no hesitation in holding that the present application is incompetent. An award is, therefore, made rejecting the same. I leave the parties to bear their own costs.

Let a copy of the Award be sent to the Labour Ministry of the Government of India for necessary action.

(Sd.) RAM KANWAR,  
Industrial Tribunal.

DELHI,  
The 19th April 1956.

[No. LR-10(21)]  
R. C. SAKSENA, Under Secy.

New Delhi, the 8th May 1956

S.R.O. 1167.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the dispute between the employers in relation to Messrs. New Dholera Shipping and Trading Company Limited, Bombay, and their tally clerks.

## CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD.

REFERENCE No. 26 OF 1955

## PRESENT:

Shri P. S. Bindra, B.A.L.L.B., *Chairman*.

## PARTIES:

The employers in relation to Messrs. New Dholera Shipping and Trading Company Limited, Bombay

and

Their tally clerks.

## AWARD

The Government of India, in the Ministry of Labour, by Order No. LR. 3(5)/55 dated 15th October 1955 has referred the dispute between the employers in relation to Messrs. New Dholera Shipping and Trading Company Limited, Bombay and their tally clerks in respect of bonus for the years 1950-51, 1951-52, and 1952-53.

2. Usual notices were issued to the parties to submit their written statements. The Transport and Dock Workers Union filed its written statement on behalf of the workmen on 3rd December 1955. In the meanwhile, before the receipt of written statement from the employers, the parties compromised and filed a memorandum of agreement duly signed by the parties marked annexure 'A'. The parties have agreed to the terms contained therein which appears to be fair and reasonable. So I pass my award accordingly.

(Sd.) P. S. BINDRA,

*Chairman,*Central Governments Industrial  
Tribunal, Dhanbad.

The 21st April 1956.

RE: No. 26 OF 1955

Tally Clerks

Vs.

The New Dholera Shipping &amp; Trading Coy., Limited

*Consent Terms*

- (1) The claim of Tally-clerks in Reference No. 26 of 1955 is withdrawn.
- (2) The New Dholera Shipping and Trading Co. Ltd., will *ex-gratia* and without admitting any liability pay to the Tally-clerks hereunder specified the

amounts shown against their respective names, in full and final settlement of their respective claims in the matter:—

| S. No. | Names                           | Amount      |
|--------|---------------------------------|-------------|
| 1.     | Shri Murlidhar Govind . . . . . | Rs. 55-0-0  |
| 2.     | Shri K.S. Patker . . . . .      | Rs. 45-0-0  |
| 3.     | Shri Kuverji Solanki . . . . .  | Rs. 95-0-0  |
| 4.     | Shri Kalyanji. . . . .          | Rs. 105-0-0 |
| 5.     | Shri Purshotam . . . . .        | Rs. 145-0-0 |
| 6.     | Shri Bhagat . . . . .           | Rs. 90-0-0  |
| 7.     | Shri Datta . . . . .            | Rs. 90-0-9  |
| 8.     | Shri Katira . . . . .           | Rs. 55-0-0  |
| 9.     | Shri Govind Ranohhed . . . . .  | Rs. 70-0-0  |
| 10.    | Shri Bhailal . . . . .          | Rs. 70-0-0  |
| 11.    | Shri B.N. Joshi . . . . .       | Rs. 80-0-0  |
| Total  |                                 | Rs. 900-0-0 |

Dated this

day of January 1956.

1. Sd. M. Govind
  2. Sd. K.S. Ratkar
  3. Sd. Kuverji Solanki..
  4. Sd. K.N. Panig
  5. Sd. Purshotam Devkaran
- 5-1-56.
6. Sd. B. Bhagat

7. Sd. M.G. Datta.
8. Sd. Katira
9. Sd. Govind Kumar.R.
10. Sd. Bhnilal
11. Sd. B.N. Joshi

Sd. Illegible

For the Transport & Dock Workers Union,  
Bombay

For and on behalf of

The New Dholera Shipping and Trading Co. Ltd.  
Bombay.

Sd. Illegible.

[No. LR-3(5)/55.]

New Delhi, the 15th May 1956

**S.R.O. 1168.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the dispute between the employers in relation to the Assam Oil Company Limited, Digboi, and their workmen.

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, AT DHANBAD

REFERENCE No. 14 OF 1955.

#### PRESENT

Shri P. S. Bindra, B.A., LL.B., *Chairman.*

#### PARTIES

The employers in relation to the Assam Oil Company Limited, Digboi.

*and*

Their workmen.

#### APPEARANCES

Shri J. K. Ghosh, Advocate, M/s. Orr Dignam & Co., Shri K. B. Kanuga, Senior Assistant Special, Assam Oil Co. Ltd.—*For the Employers.*

Shri S. K. Basu, Advocate, Shri S. K. Pramanik, Member, Executive Committee, A.O.C. Labour Union.—*For the workmen.*

## AWARD

By Government of India, Ministry of Labour, Order No. LR.3(66)/54, dated 24th June, 1955, the industrial dispute between the employers in relation to the Assam Oil Company Ltd., Digboi, and their workmen in respect of bonus for the years 1951, 1952 and 1953 has been referred to this Tribunal for adjudication.

2. The Assam Oil Company Labour Union by its written statement, dated 14th July, 1955 contended that the Assam Oil Company has its oilfields and refinery at Digboi, factories and installations at Tinsukia and development areas at Naharkatia and other neighbouring oil fields. It is further stated that the company is a wholly-owned subsidiary of the Burmah Oil Company Limited with its Head Office at 75, West George Street, Glasgow, and having its registered office at London. The workmen have claimed five months' basic wages as bonus for each of the three disputed years, namely, 1951, 1952 and 1953. It is their case that the Burmah Oil Company is a monopolistic concern making very high profits and dominating the world production and market in combination with the other international combines on cartels, such as Standard Oil Company, Socony-Vacuum Oil Company, Royal Dutch Shell etc. It is contended that the company has been making very high profits every year for a long period and has got huge reserves and immense assets and other resources. It is further contended that the company is a highly prosperous concern and that despite all the risks and requirements of oil industry the company has already realised the capital employed by it many times over and with compound interest. It is also pointed out that on 8th July, 1954 the Labour Appellate Tribunal of India (Calcutta) awarded bonus at three months' basic wages for each of the years 1948, 1949 and 1950. After this award negotiations started between the union and the management regarding bonus for the three years now in dispute. As the parties could not come to any agreement, the Regional Labour Commission started conciliation proceedings at Digboi on 22nd September, 1954 and an offer was made by the company to pay three months' basic wages for each year but the union turned down the offer considering it as inadequate. The Regional Labour Commissioner again happened to be at Digboi on 22nd April, 1955 and during the conciliation proceedings a proposal was made for payment of bonus at the rate of four months' basic wages per year which was subject to approval of both the parties. Shri G. S. Ahluwalia the Regional Labour Commissioner, has described the proposal in the following words in the proceedings marked Exhibit A/23:

"(1) *Bonus for 1951, 1952, 1953.*—The parties were anxious to settle the issue outside the Tribunal. With this in view, a proposition was mooted to the effect that 4 months' basic pay would be paid as Bonus for the years 1951, 1952 and 1953 on the express condition that (a) 4 months' basic pay would also be paid for the years 1954, 1955 and 1956, (b) the union would not demand any increase in Bonus for all the years *viz.* 1951 to 1956 inclusive. In other words, there would be industrial truce with respect to this issue upto the time Bonus was declared and paid for the year 1956. This was to be placed before the constituents of both the parties."

This was also subject to the condition mentioned in para No. 3 of the proceedings marked Exhibit A/24 which runs as follows:

"Inasmuch as the two parties were not competent to finally agree there and then, they would consult their constituents and intimate to me accordingly."

Thus it will be evident that there was no final completed agreement and the proposal was subject to approval by both sides. In a subsequent meeting the union approved of these terms but the Head Office of the company turned down the proposal. So the matter could not be settled and has been referred to this Tribunal. The union, however, urged in the written statement that there has been an agreement which was binding and that the company was bound to pay the bonus as contained in Regional Labour Commissioner's letter referred to above. The learned counsel for the Union, Shri Basu, however, realised the futility of the claim and candidly admitted during the course of arguments that there has been no legal contract binding on the parties. The union has itself stated in para 40 of the written statement that the representatives of the two parties were not competent to agree to the proposition there and then, and that the tentative agreement was necessarily subject to the final approval in writing by the company and the union. It is true that the workmen agreed to this proposal but the management turned it down. Even after this, the company

was willing to pay three months' basic wages as bonus but the union got the matter referred to this Tribunal. The company has contended that on the application of the Full Bench formula the workmen are not entitled to a single penny over and above the two months' basic wages (per year) which they have already paid. So as regards the first contention raised by the union that there was an agreement to pay four months' basic wages as bonus, I find that there has been no agreement legally binding on the parties.

3. The next question for determination is to find out the available surplus after applying the Full Bench formula as laid down in the case of *Bombay Mill Owners' Association Vs. Rashtriya Mill Mazdoor Sangh* reported as 1950-II-L.L.J.-1247 which has been approved by the Supreme Court in the case of *Muir Mills Limited Vs. Suti Mill Mazdoor Union* reported as 1955-I-L.L.J.1. It may be pointed out at the outset that the formula lays down two principles, one of them is basic and not variable, i.e. bonus can be awarded only if there is any available surplus balance after meeting the prior charges. The other which is variable and can be modified to suit special features of a particular case is about the rates of return on paid-up capital or reserves employed as working capital, and the basis of calculation of rehabilitation charges. This has been amplified in the case of *Assam Chah Karmachari Sangh Vs. Assam Tea Co. Ltd.* reported as 1956-I-L.L.J. 157. The calculation of rehabilitation charges is also not an easy task as laid down in the case of *Metal Box Company of India Limited*, and their workmen reported as 1952-I-L.L.J.830 which remark has been quoted in 1955-I-L.L.J.73 at page 75. It is remarked as follows:—

"It is unfortunately too true that all our calculations as to rehabilitation may be disproved by subsequent events; it is impossible to say what the trend of world prices will be in the next 15 years or which circumstances will intervene before that period to upset such calculation one way or the other, and no calculations of this kind are capable of mathematical accuracy. We have to take a commonsense view of these matters and make an allowance of rehabilitation to the best of our ability and in accordance with our formula."

4. In order to enable the union to apply the Full Bench formula the management was ordered to supply copies of the balance sheets for the three relevant years which the company did and the union also asked for particulars about balance sheets and the break up of several items. In my order dated 21st February 1956 the management was ordered to supply all the information required by the union and on my own account, I asked for certain particulars (detailed in my order) in order to enable me to apply the Full Bench formula. The only request of the union which was turned down by me was about the supply of returns submitted by the local auditors of the company under the British Companies Act to its auditors in United Kingdom for the three relevant years. The company objected their production on the ground that they were notes supplied to the London auditors by the auditors in India, under the instructions of the London auditors to enable them to give the necessary certificates on the balance sheets. I opined that they would be ordered to be supplied if they were found necessary to apply the Full Bench formula. The formula can be applied on the basis of the balance sheets and other information which the union wanted regarding the balance sheets. The break up of all figures which they wanted, was ordered to be supplied to them. These reports which are a sort of private reports also dealing with the policy of the company, cannot be demanded by the Union. The law in respect of discovery, production, and inspection of documents, has been discussed in detail by the High Court of Madras in the case of *Mettur Chemicals & Industrial Corporation Limited* and their workers reported as 1955-I-L.L.J.27. Industrial Tribunals have got practically the same powers which the Civil Courts have got under the Civil Procedure Code. Order XI, Rule 15, gives the right to the party to seek inspection but that right is confined only to the documents referred to in the pleadings or affidavits of the party against whom that right can be claimed. Rule 18(1) Order XI C.P.C. empowers the court to order inspection of the documents referred in Rule 15, that is, the documents referred to in the pleadings or affidavits. Rule 18(2) of Order XI C.P.C. provides for documents other than those referred to in Rule 15, inspection of which a court is empowered to order. The conditions to be satisfied before the power under rule 18(2) of Order XI C.P.C. can be exercised are various, including that a party who applied for inspection of documents should establish that he is entitled to inspect them. Over-riding all the usual conditions is the further requirement that the court should be of opinion that he document, inspection of which is sought is necessary either for disposing of fairly the suit or for saving costs. In the present case, neither the right to inspect is established nor these reports have been referred to in the pleadings or affidavits of the management.



Above all, they are by no means necessary to dispose of the case. The union was allowed to ask for any particulars they liked about the balance sheets and break up of any items they required which were quite sufficient for disposing of this reference. The management has supplied all the information required by the union regarding the balance sheets and the break up of several items. This was done before the starting of the evidence by the union. The union has not challenged the accuracy of any of the statements. It has been laid down in the said ruling that an assertion of a workers' union that they do not accept the accuracy of such balance sheets and profit and loss accounts is certainly no proof of their right to inspect the accounts on which these statements were based. In the present case, no request was ever made for the inspection of the accounts of the company and in fact they have not challenged the statements supplied by the company. Only the reports sent by the local auditors to the auditors in London were denied to them which did not prejudice their case in any manner whatsoever.

5. The balance sheets of the company are under a seal of secrecy. According to the request of the company they have to be treated as confidential under Section 21 of the Industrial Disputes Act 1947. So I have dealt with the question of bonus in detail separately in annexure (A). For the reasons given in the annexure (A), I award four months basic wages as bonus for the year 1951 and out of this the company has already paid two months bonus. So the company has now only to pay two months basic wages as bonus for the year 1951. No bonus is awarded for the years 1952 and 1953.

6. The company has taken up the position that bonus is meant only to bridge the gulf between the current wage and the living wage and that in the present case, as the company is already paying 'living wage', so no bonus can be awarded. According to the report of the Committee on Fair Wages, the living wage should enable a male earner to provide for himself and his family not merely the bare essentials of food, clothing and shelter, but a measure of frugal comfort including education for the children, protection against ill-health, requirements of essential social needs, and a measure of insurance against the more important misfortunes including old age. The learned counsel for the company has argued that the wages paid by them and the other amenities provided by them meet all these requirements. The wages paid by them are shown in Exhibits R/33 to R/39 and R/1, which besides the basic wages and dearness allowance paid by the company include the provident fund benefit, educational benefit and medical facilities. Bonus for three months has also been included, as if it formed a part of the contractual wage. Bonus depends upon the profits of the company and it may and may not be granted at all in any year. So bonus cannot be considered as a part of wages. Education is provided free upto VI class in the schools of the company but all the children of the employees are not studying in the schools of the company and they are studying in other schools as well. Education does not mean education upto VI class only and it is also the responsibility of the parents to give higher education to their children. So far as medical treatment is concerned, it is true that ordinary medical treatment is provided but if a workman requires the services of a dentist or an eye specialist, he has to pay for them. The medicines which are not present in the stock are to be paid by the workmen themselves. Moreover, relations other than the dependents are not provided with free medical treatment and according to our social custom a man has to look to the medical treatment of his aged parents as well which are not covered by the term dependents. Gratuity, and pension in certain cases are also provided by the company besides provident fund. But in spite of all these, the workmen have to take loans to meet other expenses. Exhibit 5 shows the amount of loans taken by the employees other than the covenanted staff from the provident fund in the years 1951, 1952 and 1953. The amount of loans was more than two lakhs of rupees in the year 1951 and about the same in 1952 and 1953. The company has filed Exhibit R/43 to show for what purpose, loans were taken and from its perusal it will appear that the loans were taken for house building, marriages, and other ceremonies. This clearly shows that the emoluments paid to the workmen are only sufficient to meet the day to day needs and nothing is left over to meet the expenses of marriages or other ceremonies and construction of houses. It is argued before me that the company is not bound to provide a house. I admit that so far as the minimum wage or fair wage is concerned, the company cannot be fastened with this liability but in order to decide the living wage this has to be taken into consideration. For every Indian a house is a dire necessity without which it is not possible to pull on in the old age. As long as they are in the service of the company, they can have house accommodation or house rent but as soon as they are retired they will find themselves on the road with no money to build a house. Even in the primitive ages food and shelter were considered as the two essential necessities

without which no human being can live. Even in the definition given by the Fair Wages Committee it is stated that 'shelter' is also to be provided. Under the circumstances, I think the concept of living wage includes the money required for house building. If a man has spent his whole life in a certain concern, he cannot go to somebody else to give him money for building a house. The measurement of the living wage in terms of money has not been prescribed by law of the country nor it has been determined anywhere on any scientific basis. Moreover, this conception of 'living wage' must change from time to time as our national wealth increases. No ceiling can be put for the living wage. I am therefore of opinion that though the company is paying fairly high wage but it has not reached the standard of 'living wage' and therefore the workmen are entitled to bonus from time to time depending on the profits of the company. Under the circumstances, I award four months basic wages as bonus for the year 1951. Out of this the company has already paid two months basic wages as bonus. Only two months basic wages have to be paid for the year 1951. No bonus is awarded for the years 1952 and 1953. The bonus already paid by the company for the years 1952 and 1953 at the rate of two months basic wages is not to be recovered from the workmen concerned. Bonus will be paid subject to the following conditions:—

- (1) A workman who is dismissed for misconduct involving financial loss to the company, will not be entitled to bonus.
- (2) A workman who has worked less than 60 days in the year but more than 30 days, shall get at half the aforesaid rate, and
- (3) A workman who has worked 30 days or less in the year shall get no bonus.

(Sd.) P. S. BINDRA, *Chairman,*

*The 21st April 1956.*

Central Government's Industrial Tribunal, Dhanbad.

[No. LR.3(66)/54.]

R. C. SAKSENA, *Under Secy.*

#### ORDER

*New Delhi, the 10th May 1956*

**S.R.O. 1169.**—Whereas the Central Government is of opinion that an industrial dispute exists between the Union Bank of India Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal Lucknow, constituted under section 7 of the said Act.

#### SCHEDULE

Alleged wrongful termination of the services of Shri R. K. Desai and the relief, if any, that should be allowed to him.

[LR.10(12)/56]

*New Delhi, the 14th May 1956*

**S.R.O. 1170.**—Whereas certain workmen of the Bank of Behar Limited, Kanpur, represented by the U.P. Bank Employees' Union, Kanpur, have alleged that the said bank has not taken into account the service rendered by them prior to 1 April, 1953 for purposes of granting sick leave in accordance with the directions contained in paragraph 487 of the award of the All-India Industrial Tribunal (Bank Disputes), Bombay, constituted by the notification of the Government of India in the Ministry of Labour, No. S.R.O. 35, dated the 5th January, 1952, as modified by the decision of the Labour Appellate Tribunal in the manner referred to in section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1955 (41 of 1955);

And whereas the Central Government is of opinion that a difficulty or doubt has arisen as to the interpretation of paragraph 487 of the said award in respect of the matter specified in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby refers the matter specified in the Schedule hereto annexed for decision to Shri F. Jeejeebhoy, Chairman of the Labour Appellate Tribunal constituted under section 5 of the Industrial Disputes (Appellate Tribunal) Act, 1950 (XLVIII of 1950).

#### SCHEDULE

Whether, in computing the period of service of a workman for purposes of sick leave, in accordance with the directions contained in paragraph 487 of the award of the All India Industrial Tribunal (Bank Disputes) constituted by the notification of the Government of India in the Ministry of Labour, No. S.R.O. 35, dated the 5th January, 1952, modified as aforesaid, the service prior to 1st April, 1953 should be taken into account.

[No. LR-100(24)/56.]

R. C. SAKSENA, Under Secy.

*New Delhi, the 9th May 1956*

**S.R.O. 1171.**—In exercise of the powers conferred by section 95 of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the Central Government hereby makes the following amendment to the Employees' State Insurance (Central) Rules, 1950, the same having been previously published as required by sub-section (1) of the said section, namely:—

#### *Amendment*

In the said rules, for sub-clause (a) of clause (i) of sub-rule (2) of rule 5, the following shall be substituted, namely:—

“(a) in respect of journeys by air, the actual fare paid plus incidental expenses on the same scale as the Central Government may from time to time fix for its own officers of the first grade”.

[No. HI-1(10)/56.]

**S.R.O. 1172.**—The following draft of certain further amendment to the Employees' State Insurance (Central) Rules, 1950, which it is proposed to make in exercise of the powers conferred by section 95 of the Employees' State Insurance Act, 1948 (XXXIV of 1948), is published as required by sub-section (1) of the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 25th May 1956.

Any objection or suggestion which may be received from any person in respect of the said draft before the date specified above will be considered by the Central Government.

#### *Draft Amendments.*

In the said rules.

I. for sub-clause (b) of clause (i) of sub-rule (2) of rule 5, the following shall be substituted, namely:—

“(b) in respect of journey by rail, a single fare of the class by which he travels on payment of full fare, plus 12 pies per mile, from and to the usual place of business or from and to the place from or to which the journey is actually performed by the member, whichever is less, the rate of 12 pies per mile being subject to the same modifications as the Central Government may make from time to time in this regard in respect of its own officers of the first grade.

Air-conditioned accommodation will not be treated as one of the classes of accommodation for purposes of rail travel, but a number will have the option to travel by air-conditioned accommodation, by paying from his own pocket, the difference between the fares for the air-conditioned and the highest class accommodation provided on the train by which he travels.

NOTE—Return tickets should be purchased whenever they are available, and when it is expected that the return journey will be performed before the expiry of the period for which return tickets are available.”

II In clause (ii) of sub-rule (2) of rule 5, after the word “meetings” at the end, the following shall be added, namely:—

“and also in respect of the days intervening between a meeting of the Standing Committee and that of the Corporation if the latter meeting is held within two days of the meeting of the former and if the member continues to reside at the place of the meeting during the period”.

III For Note (1) to Rule 5, the following Note shall be substituted, namely —

“NOTE (1) —Travelling and daily allowance shall be allowed if a member certifies that he has not drawn any travelling or daily allowance from any other source in respect of the journey and halt for which the claim is made. A member who possesses a free pass provided to him in his capacity as a member of Parliament, will be expected to use the pass while travelling on business of the Corporation also.”

[No. SS-122(82)]

K. N. NAMBIAR, Under Secy

*New Delhi, the 15th May 1956*

S.R.O. 1173.—In exercise of the powers conferred by Section 95 of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the Central Government hereby makes the following further amendment to the Employees' State Insurance (Central) Rules, 1950 the same having been previously published as required by sub-section (1) of the said section, namely:—

#### *Amendments*

In the said Rules, for the words, “first of October”, “twentieth of October” and “first of November” occurring in sub-rules (1), (4) and (5) of rule 31, the words “first of February”, “twentieth of February” and “first of March”, respectively, shall be substituted

[No. F.HI-1(22)/56.]

B. R. KHANNA, Under Secy

### **MINISTRY OF INFORMATION AND BROADCASTING**

*New Delhi-2, the 8th May, 1956*

S.R.O. 1174—It is hereby notified for general information that the following members of the Advisory Panel of the Central Board of Film Censors at Bombay retired under sub-rule (1) of rule 10 of the Cinematograph (Censorship) Rules, 1951, with effect from the 1st March, 1956:—

- 1 Shrimati Maniben N. Desai,
- 2 Shrimati Sarojini Mehta,
- 3 Shri V. K. Tembe,
- 4 Shrimati P N Nariman,
- 5 Shrimati Savitri Devi Bajaj,
- 6 Shri Kantilal Joshi,
- 7 Dr R B K Jayakar,
- 8 Shrimati Kulsum Sayani,
- 9 Shri P. G. Shah,
- 10 Shrimati Indira Joshi.

[No 14/2/56-FC.]

*New Delhi-2, the 10th May, 1956*

S R O 1175.—It is hereby notified for general information that Shri A N Basu, a member of the Advisory Panel of the Central Board of Film Censors at Bombay retired under sub-rule (1) of rule 10 of the Cinematograph (Censorship) Rules, 1951, with effect from the 1st March, 1956.

[No. 14/1/56-FC.)

**S.R.O. 1176.**—It is hereby notified for general information that the following members of the Advisory Panel of the Central Board of Film Censors at Madras retired under sub-rule (1) of rule 10 of the Cinematograph (Censorship) Rules, 1951, with effect from the 1st March, 1956:—

1. Shrimati Rajammal Anantharaman,
2. Shrimati Lakshmi Raghu Ramaih,
3. Shri K. Chandrasekharan,
4. Shri V. C. Gopalratnam,
5. Shri P. Mallikarjuna Rao,
6. Dr. S. K. Nayar,
7. Shri K. G. Haridas Sastri.

[No. 14/4/56-FC.]

**S.R.O. 1177.**—In exercise of the powers conferred by sub-rule (3) of Rule 9 read with sub-rule (1) of rule 10 of the Cinematograph (Censorship) Rules, 1951, the Central Government hereby appoints after consultation with the Central Board of Film Censors Shri A. N. Basu, as a member of the Advisory Panel of the said Board at Bombay with effect from the 19th May, 1956.

[No. 14/1/56-FC.]

**S.R.O. 1178.**—In exercise of the powers conferred by sub-rule (3) of rule 9 read with sub-rule (1) of rule 10 of the Cinematograph (Censorship) Rules, 1951, the Central Government hereby appoints after consultation with the Central Board of Film Censors the following persons as members of the Advisory Panel of the said Board at Madras with effect from the 19th May 1956:—

1. Shrimati Rajammal Anantharaman,
2. Shrimati K. Lakshmi Raghu Ramaih,
3. Shri K. Chandrasekharan,
4. Shri V. C. Gopalratnam,
5. Shri P. Mallikarjuna Rao,
6. Dr. S. K. Nayar,
7. Shri C. H. Sibghathullah.

[No. 14/4/56-FC.]

**S.R.O. 1179.**—In exercise of the powers conferred by sub-rule (3) of rule 9 read with sub-rule (1) of rule 10 of the Cinematograph (Censorship) Rules, 1951, the Central Government hereby appoints after consultation with the Central Board of Film Censors the following persons as members of the Advisory Panel of the said Board at Madras with effect from the 12th June, 1956:—

1. Shri M. P. Periaswamythooran,
2. Shri P. Ramachandran.

[No. 14/4/56-FC.]

**S.R.O. 1180.**—It is hereby notified for general information that the following members of the Advisory Panel of the Central Board of Film Censors at Madras will retire under sub-rule (1) of rule 10 of the Cinematograph (Censorship) Rules, 1951, with effect from the 12th June, 1956:—

1. Shri M. P. Periaswamythooran,
2. Shri P. Ramachandran.

[No. 14/4/56-FC.]

#### ORDERS

*New Delhi, the 8th May, 1956*

**S.R.O. 1181.**—The Central Government hereby:—

- (a) directs, in pursuance of the provisions of the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 3805, dated the 26th December, 1955 and in modification

of the Order of the Government of the India in the Ministry of Information and Broadcasting No. S.R.O. 876, dated the 6th April, 1956, that the Advisory Panel of the Central Board of Film Censors at Bombay shall consist of 32 members with effect from the 12th May, 1956.

- (b) appoints, after consultation with the Central Board of Film Censors the following persons as members of the Advisory Panel of the said Board at Bombay with effect from 12th May, 1956 in exercise of the powers conferred by sub-rule (3) of rule 9 read with sub-rule (1) of rule 10 of the Cinematograph (Censorship) Rules, 1951:—

1. Shrimati Maniben N. Desai,
2. Shrimati Sarojini Mehta,
3. Shri V. K. Tembe,
4. Shrimati P. N. Nariman.

[No. 14/2/56-FC.]

*New Delhi, the 14th May 1956*

**S.R.O. 1182.**—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First schedule to the order of the Government of India in the Ministry of Information and Broadcasting, No. S.R.O. 945, dated the 28th April, 1955 the Central Government with previous approval of the Film Advisory Board, Bombay hereby certifies film specified in column 2 of the schedule hereto annexed, in all its language versions, to be of the description specified against it in the corresponding entry of column 5 of the said schedule.

#### SCHEDULE

| S. No. | Title of the Film          | Name of the Producer                   | Source of Supply                       | Whether scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film |
|--------|----------------------------|--|--|--|
| I      | Indian News Review No. 395 | Government of India, Division, Bombay. | Government of India, Division, Bombay. | Film dealing with news and current events.   |

[No. 14/2/56-FD: App 84.]

*New Delhi, the 16th May 1956*

**S.R.O. 1183.**—In exercise of the powers conferred by clause (a) of section 6 of the Cinematograph Act, 1952 (XXXVII of 1952), the Central Government hereby directs that the certified films specified in the Schedule below shall be deemed to be uncertified films in the whole of India.

#### SCHEDULE

| Sl. No. | Title of the film | Name of the producer                   | Name of the applicant                                    | Date of certification and the nature and number of certificate |
|---------|-------------------|--|--|--|
| (1)     | (2)               | (3)                                    | (4)  | (5)  |
| I       | "African Queen"   | J. Arthur Rank Organisation Ltd., U.K. | J. Arthur Rank Film Distributors (India) Ltd., Calcutta. | 11-9-1952<br>"U" 3971  |

| I  | 2                                       | 3  | 4  | 5   |
|----|---|--|--|---|
| 2  | Trailer of "African Queen"              | J. Arthur Rank Organisation Ltd., U.K.     | J. Arthur Rank Film Distributors (India) Calcutta.       | 30-8-1952<br>"U"—3966                               |
| 3  | "Snows of Kilimanjaro".                 | 20th Century Fox Films Corp., U.S.A.       | 20th Century Fox Corp. (India) Ltd., Bombay.             | 26-2-1953<br>"A"—78                                 |
| 4  | Two Trailers of "Snows of Kilimanjaro". | 20th Century Fox Films Corp., U.S.A.       | 20th Century Fox Corp. (India) Ltd., Bombay.             | 3-3-1953<br>"U"—7705<br>and<br>3-3-1953<br>"U"—7706 |
| 5  | "Below the Sahara"                      | RKO Radio Pictures Inc., U.S.A.            | RKO Radio Pictures Ltd., Bombay.                         | 13-8-1953<br>"U"—9002                               |
| 6  | Trailer of "Below the Sahara".          | RKO Radio Pictures Inc., U.S.A.            | RKO Radio Pictures Ltd., Bombay.                         | 27-7-1953<br>"U"—8886                               |
| 7  | "Mogambo"                               | Metro Goldwyn Mayer, U.S.A.                | Metro Goldwyn Mayer India Ltd., Bombay.                  | 11-2-1954<br>"U"—10352                              |
| 8  | Trailer of "Mogambo"                    | Metro Goldwyn Mayer, U.S.A.                | Metro Goldwyn Mayer India Ltd., Bombay.                  | 19-1-1954<br>"U"—10206                              |
| 9  | Treasure Trailer of "Mogambo".          | Metro Goldwyn Mayer, U.S.A.                | Metro Goldwyn Mayer India Ltd., Bombay.                  | 19-1-1954<br>"U"—10205                              |
| 10 | "West of Zanzibar"                      | J. Arthur Rank Organisation Ltd. U.K.      | J. Arthur Rank Film Distributors (India) Ltd., Calcutta. | 14-6-1954<br>"U"—9658                               |
| 11 | Trailer of "West of Zanzibar".          | J. Arthur Rank Organisation Ltd., U.K.     | J. Arthur Rank Film Distributors (India) Ltd., Calcutta. | 29-6-1954<br>"U"—9671                               |
| 12 | "Tanganyika"                            | Universal International Films Inc., U.S.A. | Universal Pictures India Ltd., Bombay.                   | 11-12-1954<br>"U"—11906                             |
| 13 | Trailer of "Tanganyika"                 | Universal International Films Inc., U.S.A. | Universal Pictures India Ltd., Bombay.                   | 11-12-1954<br>"U"—11907                             |
| 14 | "Africa Adventure"                      | RKO Radio Pictures Inc., U.S.A.            | RKO Radio Pictures Ltd., Bombay.                         | 13-1-1955<br>"U"—12084                              |
| 15 | Trailer of "Africa Adventure".          | RKO Radio Pictures Inc., U.S.A.            | RKO Radio Pictures Ltd., Bombay.                         | 7-1-1955<br>"U"—12059                               |
| 16 | "Untamed"                               | 20th Century Fox Film Corp. U.S.A.         | 20th Century Fox Corp. (India) Ltd., Bombay.             | 18-7-1955<br>"U"—13648                              |
| 17 | Trailer of "Untamed"                    | 20th Century Fox Film Corp. U.S.A.         | 20th Century Fox Corp. (India) Ltd., Bombay.             | 15-7-1955<br>"U"—13633                              |

[No. 9/11/55-FC]

D. KRISHNA AYYAR, Under Secy.

